FAYETTEVILLE OBSERVER.

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Letters to the Editor must be post paid.

NEW
CTION STORE.

VE taken the Store on Person Street, one door West of the Bank of Cape Fear, for the purpose of transacting a GENERAL

ion and Commission Business,

fer my services to the public as such.
AMOS KIMBALL.
ember 5, 1838 22f

BONNETS.

T received, a good assortment of the above Goods, consisting of Plain American and English Straw; Oriental and Florence do.; Leghorn Florence; Dutch Bonnets, &c ;— some of which are handsome, and may be bought at fair prices.
E. J. HALY.
ville, Dec 5, 1838 22-6w

LAMP OIL

BARRELS Winter strained Sperm OIL.
do, a handsome assortment of
rockery and Glass Ware,
received and for sale by
COOK & CO
ember 4 1838 22tf
CHESTS N. O MOLASSES, now landing.

The Subscriber

s just received and offers for sale the following GOODS :—
BAGS RIO COFFEE,
8 hhds. St. Croix SUGAR,
4 boxes Loaf Sugar,
60 reams Wrapping Paper,
25 barrels N Y Crackers,
100 do Pilot Bread,
25 boxes Sonia Biscuit,
10 do Sugar do,
20 boxes Almonds,
10 do Brazil Nuts,
10 baskets Olive Oil,
4 boxes Tumblers, assorted,
1 crate Bowls,
4 packages Glass Dishes,
4 boxes Hats,
7 casks London Porter, pints and quarts,
20 boxes Candy, assorted.
SAM'L W. TILLINGHAST.
ember 4, 1838. 22tf

Administrator's Notice.

E Subscriber having, at December Term, 1838, of the County Court of Cumberland, qualified Letters of Administration on the Estate of Neill Shaw, deceased, hereby notifies all those indebted to said Estate to come forward and make immediate settlement, and all those having claims against them within the time prescribed by law, or this notice will be pleaded in bar of recovery.
DAVID SHAW.
ember 3, 1838.

Further Notice.

E Subscriber will expose to Public Sale, on the 26th day of December, at the Market House in the town of Fayetteville, all the personal property of the late Neill Shaw, deceased, consisting of House hold and Kitchen FURNITURE. a fine COW.
ms.—Six months credit, note with approved security.
DAVID SHAW, Adm'r.
ember 3, 1838. 22 6w

Notice to Heirs.

E heirs of Dicey Walker, deceased, are hereby notified that the Subscriber has made a settlement of the Estate, and is now prepared to pay to each person entitled, a proportionate part of the funds of the estate. They are hereby requested to make application for their portions to
DAVID WALKER, Adm'r.
berland County, Dec. 3, 1838. 22 3wpd

$20 REWARD.

AKE the Jail of Bladen County, N. C on the night of the 16th inst., Dickson Clarke and William J Boswell, who were confined pursuant to the sentence of the late Superior Court of Bladen County, for fighting Clarke is about 6 inches high, light hair, blue eyes, and well proportionably built; aged about 35 years Boswell is about six feet high, rather slim built, black eyes, black hair, and an old scar on his under lip; about 30 years.
The above reward will be paid for their apprehension and delivery at the Jail, or $10 for either of them.
G W. MELVIN, Sheriff, by
J F BARNES, Jailer.
Elizabeth Town, Nov. 30, 1838 22 3w

Dr. BENJ. W. ROBINSON

OCCUPIES the Dwelling House next the Paper Mill, (Mr Anderson's,) where he may be found at night.
December 28, 1838 21 4w

Just received per Steamer Cotton Plant,

BAGS prime green Rio COFFEE,
5 do do old Java do,
50 boxes and half boxes Bunch Raisins,
1 cask London Porter,
2 boxes best Champaign Cider,
1 do Boston refined Loaf Sugar, (a superior article.)
Sale by
D. B. ROBINSON & CO.
December 27, 1838. 21 3w

Just Received,

CASKS best Thomastown LIME.
10 tierces Calcined Plaister, for Plasterer's use,—all of which I will sell low for Cash. Call 3 doors South of Market Square.
JOHN E. PATTERSON.
December 27, 1838. 21 4w

Mrs. Charles Stuart

will be prepared by the first day of December next to accommodate 10 or 12 Gentlemen with Early application is desirable.
December 24, 1838. 21tf

BARROUCHES.

NEW Northern built, for sale by
NOTT & STARR.
January 14, 1838. 20tf.

The President's Message.

Fellow Citizens of the Senate and House of Representatives:

I congratulate you on the favorable circumstances in the condition of our country, under which you reassemble for the performance of your official duties. Though the anticipations of an abundant harvest have not every where been realized, yet, on the whole, the labors of the husbandman are rewarded with a bountiful return; industry prospers in its various channels of business and enterprise; general health again prevails through our vast diversity of climate; nothing threatens, from abroad, the continuance of external peace; nor has any thing at home impaired the strength of those fraternal and domestic ties which constitute the only guaranty to the success and permanency of our happy Union, and which, formed in the hour of peril, have hitherto been honorably sustained through every vicissitude in our national affairs. These blessings, which evince the care and beneficence of Providence, call for our devout and fervent gratitude.

We have not less reason to be grateful for other bounties bestowed by the same munificent hand, and more exclusively our own.

The present year closes the half century of our federal institutions; and our system—differing from all others in the acknowledged, practical, and unlimited operation which it has for so long a period given to the sovereignty of the people—has now been fully tested by experience.

The constitution devised by our forefathers as the frame-work and bond of that system, then untried, has become a settled form of government; not only preserving and protecting the great principles upon which it was founded, but wonderfully promoting individual happiness and private interests. Though subject to change and entire revocation, whenever deemed inadequate to all these purposes, yet such is the wisdom of its construction, and so stable has been the public sentiment, that it remains unaltered, except in matters of detail comparatively unimportant. It has proved amply sufficient for the various emergencies incident to our condition as a nation. A formidable foreign war; agitating collisions between domestic and, in some respects, rival sovereignties; temptations to interfere in the intestine commotions of neighboring countries; the dangerous influences that arise in periods of excessive prosperity; and the anti-republican tendencies of associated wealth—these, with other trials not less formidable, have all been encountered, and thus far successfully resisted.

It was reserved for the American Union to test the advantages of a Government entirely dependent on the continual exercise of the popular will; and our experience has shown that it is as beneficent in practice as it is just in theory. Each successive change made in our local institutions has contributed to extend the right of suffrage, has increased the direct influence of the mass of the community, given greater freedom to individual exertion, and restricted, more and more, the powers of Government; yet the intelligence, prudence, and patriotism of the people have kept pace with this augmented responsibility. In no country has education been so widely diffused. Domestic peace has nowhere so largely reigned. The close bonds of social intercourse have in no instance prevailed with such harmony over a space so vast. All forms of religion have united, for the first time, to diffuse charity and piety, because, for the first time in the history of nations, all have been totally untrammelled, and absolutely free. The deepest recesses of the wilderness have been penetrated; yet, instead of the rudeness in the social condition consequent upon such adventures elsewhere, numerous communities have sprung up, already unrivalled in prosperity, general intelligence, internal tranquility, and the wisdom of their political institutions. Internal improvement, the fruit of individual enterprise, fostered by the protection of the States, has added new links to the confederation, and fresh rewards to provident industry. Doubtful questions of domestic policy have been quietly settled by mutual forbearance; and agriculture, commerce, and manufactures, minister to each other. Taxation and public debt, the burdens which bear so heavily upon all other countries, have pressed with comparative lightness upon us. Without one entangling alliance, our friendship is prized by every nation; and the rights of our citizens are every where respected, because they are known to be guarded by a united, sensitive, and watchful people.

To this practical operation of our institutions, so evident and successful, we owe that increased attachment to them which is among the most cheering exhibitions of popular sentiment, and will prove their best security, in time to come, against foreign or domestic assault.

This review of the results of our institutions, for half a century, without exciting a spirit of vain exultation, should serve to impress upon us the great principles from which they have sprung; constant and direct supervision by the people over every public measure; strict forbearance on the part of the Government from exercising any doubtful or disputed powers; and a cautious abstinence from all interference with concerns which properly belong, and are best left to State regulations and individual enterprise.

Full information of the state of our foreign affairs having been recently, on different occasions, submitted to Congress, I deem it necessary now to bring to your notice only such events as have subsequently occurred, or are of such importance as to require particular attention.

The most amicable dispositions continue to be exhibited by all the nations with whom the Government and citizens of the United States have an habitual intercourse. At the date of my last annual message, Mexico was the only nation which could not be included in so gratifying a reference to our foreign relations.

I am happy to be now able to inform you that an advance has been made towards the adjustment of our difficulties with that Republic, and the restoration of the customary good feeling between the two nations. This important change has been effected by conciliatory negotiations, that have resulted in the conclusion of a treaty between the two Governments, which, when ratified, will refer to the arbitrament of a friendly power all the subjects of controversy between us growing out of injuries to individuals. There is, at present, also, reason to believe that an equitable settlement of all disputed points will be attained without further difficulty or unnecessary delay, and thus authorize the free resumption of diplomatic intercourse with our sister Republic.

With respect to the northeastern boundary of the United States, no official correspondence between this Government and that of Great Britain, has passed since that communicated to Congress towards the close of their last session. The offer to negotiate a convention for the appointment of a joint commission of survey and exploration, I am, however, assured will be met by Her Majesty's Government in a conciliatory and friendly spirit, and instructions to enable the British Minister here to conclude such an arrangement will be transmitted to him without needless delay. It is hoped and expected that these instructions will be of a liberal character, and that this negotiation, if successful, will prove to be an important step towards the satisfactory and final adjustment of the controversy.

I had hoped that the respect for the laws and regard for the peace and honor of their own country, which has ever characterized the citizens of the United States, would have prevented any portion of them from using any means to promote insurrection in the territory of a power with which we are at peace, and with which the U. States are desirous of maintaining the most friendly relations. I regret deeply, however, to be obliged to inform you that this has not been the case. Information has been given to me, derived from official and other sources, that many citizens of the United States have associated together to make hostile incursions from our territory into Canada, and to aid and abet insurrection there, in violation of the obligations and laws of the United States, and in open disregard of their own duties as citizens. This information has been in part confirmed, by a hostile invasion actually made by citizens of the United States, in conjunction with Canadians and others, and accompanied by a forcible seizure of the property of our citizens, and an application thereof to the prosecution of military operations against the authorities and people of Canada.

The results of these criminal assaults upon the peace and order of a neighboring country have been, as was to be expected, fatally destructive to the misguided or deluded persons engaged in them, and highly injurious to those in whose behalf they are professed to have been undertaken. The authorities in Canada, from intelligence received of such intended movements among our citizens, have felt themselves obliged to take precautionary measures against them, have actually embodied the militia, and assumed an attitude to repel the invasion to which they believed the Colonies were exposed from the United States. A state of feeling on both sides of the frontier has thus been produced, which called for prompt and vigorous interference. If an insurrection existed in Canada, the amicable dispositions of the United States towards Great Britain, as well as their duty to themselves, would lead them to maintain a strict neutrality, and to restrain their citizens from all violations of the laws which have been passed for its enforcement. But this Government recognises a still higher obligation to repress all attempts on the part of its citizens to disturb the peace of a country where order prevails, or has been reestablished. Depredations by our citizens upon nations at peace with the United States, or combinations for committing them, have at all times been regarded by the American Government and people with the greatest abhorrence. Military incursions by our citizens into countries so situated, and the commission of acts of violence on the members thereof, in order to effect a change in its government, or under any pretext whatever, have, from the commencement of our Government, been held equally criminal on the part of those engaged in them, and as much deserving of punishment as would be the disturbance of the public peace by the perpetration of similar acts within our own territory.

By no country or persons have these invaluable principles of international law—principles, the strict observance of which is so indispensable to the preservation of social order in the world—been more earnestly cherished or sacredly respected than by those great and good men who first declared, and finally established, the independence of our own country. They promulgated and maintained them at an early and critical period in our history; they were subsequently embodied in legislative enactments of a highly penal character, the faithful enforcement of which has hitherto been, and will, I trust, always continue to be, regarded as a duty inseparably associated with the maintenance of our national honor. That the people of the United States should feel an interest in the spread of political institutions as free as they regard their own to be, is natural; nor can a sincere solicitude for the success of all those who are, at any time, in good faith struggling for their acquisition, be imputed to our citizens as a crime. With the entire freedom of opinion, and an undisguised expression thereof, on their part, the Government has neither the right, nor, I trust, the disposition to interfere. But whether the interest or the honor of the United States require, that they should be made a party to any such struggle, and, by inevitable consequence, to the war which is waged in its support, is a question which, by our constitution, is wisely left to Congress alone to decide. It is, by the laws, already made criminal in our citizens to embarrass or anticipate that decision, by unauthorized military operations on their part. Offences of this character, in addition to their criminality as violations of the laws of our country, have a direct tendency to draw upon our own citizens at large the multiplied evils of a foreign war, and expose to injurious imputations the good faith and honor of the country. As such they deserve to be put down with prompt itude and decision. I cannot be mistaken, I am confident, in counting on the cordial and general concurrence of our fellow citizens in this sentiment. A copy of the proclamation which I have felt it my duty to issue, is herwith communicated. I cannot but hope that the good sense and patriotism, the regard for the honor and reputation of their country, the respect for the laws which they have themselves enacted for their own government, and the love of order for which our people have been so long and so justly distinguished, will deter the comparatively few who are engaged in them from a further prosecution of such desperate enterprises. In the mean time, the existing laws have been, and will continue to be, faithfully executed; and every effort will be made to carry them out in their full extent. Whether they are sufficient or not, to meet the actual state of things on the Canadian frontier, it is for Congress to decide.

It will appear from the correspondence herewith submitted, that the Government of Russia declines a renewal of the fourth article of the convention of April, 1824, between the United States and His Imperial Majesty, by the third article of which it is agreed that "hereafter there shall not be formed by the citizens of the United States, or under the authority of the said States, any establishment upon the northwest coast of America, nor in any of the islands adjacent, to the north of 54° 40' of north latitude; and that in the same manner there shall be none formed by Russian subjects, or under the authority of Russia, south of the same parallel;" and by the fourth article, "that, during a term of ten years, counting from the signature of the present convention, the ships of both powers, or which belong to their citizens or subjects respectively, may reciprocally frequent, without any hindrance whatever, the interior seas, gulfs, harbors, and creeks upon the coast mentioned in the preceding article, for the purpose of fishing and trading with the natives of the country." The reasons assigned for declining to renew the provisions of this article, are, briefly, that the only use made by our citizens of the privilege it secures to them, has been to supply the Indians with spiritous liquors, ammunition, and fire-arms; that this traffic has been excluded from the Russian trade; and as the supplies furnished from the United States are injurious to the Russian establishments on the northwest coast, and calculated to produce complaints between the two Governments, His Imperial Majesty thinks it for the interest of both countries not to accede to the proposition made by the American Government for the renewal of the article last referred to.

The correspondence herewith communicated will show the grounds upon which we contend that the citizens of the United States have, independent of the provisions of the convention of 1824, a right to trade with the natives upon the coast in question, at unoccupied places, liable, however, it is admitted, to be at any time extinguished by the creation of Russian establishments at such points. This right is denied by the Russian Government, which asserts that, by the operation of the treaty of 1824, each party agreed to waive the general right to land on the vacant coasts on the respective sides of the degree of latitude referred to, and accepted, in lieu thereof, the mutual privileges mentioned in the fourth article. The capital and tonnage employed by our citizens in their trade with the northwest coast of America, will, perhaps, on adverting to the official statements of the commerce and navigation of the United States for the last few years, be deemed too inconsiderable in amount to attract much attention; yet the subject may, in other respects, deserve the careful consideration of Congress.

I regret to state that the blockade of the principal ports on the eastern coast of Mexico, which, in consequence of differences between that Republic and France, was instituted in May last, unfortunately still continues, enforced by a competent French naval force, and is necessarily embarrassing to our own trade in the gulf, in common with that of other nations. Every disposition, however, is believed to exist on the part of the French Government, to render this measure as little onerous as practicable to the interests of the United States, and to those of neutral commerce; and it is to be hoped that an early settlement of the difficulties between France and Mexico, will soon re establish the harmonious relations formerly subsisting between them, and again open the ports of that Republic to the vessels of all friendly nations.

A convention for marking that part of the boundary between the United States and the Republic of Texas, which extends from the mouth of the Sabine to the Red river, was concluded and signed at this city on the 25th of April last. It has since been ratified by both Governments; and reasonable measures will be taken to carry it into effect on the part of the United States.

The application of that Republic for admission into this Union, made in August, 1837, and which was declined for reasons already made known to you, has been formally withdrawn, as will appear from the accompanying copy of the note of the Minister Plenipotentiary of Texas, which was presented to the Secretary of State on the occasion of the exchange of the ratifications of the convention above mentioned.

Copies of the convention with Texas, of a commercial treaty concluded with the King of Greece, and of a similar treaty with the Peru-Bolivian Confederation, the ratifications of which have been recently exchanged, accompany this message for the information of Congress, and for such legislative enactments as may be found necessary or expedient in relation to either of them.

To watch over and foster the interests of a gradually increasing and widely extended commerce; to guard the rights of American citizens, whom business, or pleasure, or other motives may tempt into distant climes, and at the same time to cultivate those sentiments of mutual respect and good will which experience has proved beneficial in international intercourse, the Government of the United States has deemed it inexpedient, from time to time, to establish diplomatic connections with different foreign States, by the appointment of representatives to reside within their respective territories. I am gratified to be enabled to announce to you that, since the close of your last session, these relations have been opened under the happiest auspices with Austria and the Two Sicilies; that new nominations have been made in the respective missions of Russia, Brazil, Belgium, and Sweden and Norway, in this country; and that a Minister Extraordinary has been received, accredited to this Government from the Argentine Confederation.

An exposition of the fiscal affairs of the Government, and of their condition for the past year, will be made to you by the Secretary of the Treasury.

The available balance in the Treasury, on the 1st of January next, is estimated at $2,765,312. The receipts of the year, from customs and lands, will probably amount to $20,615,598. These usual sources of revenue have been increased by an issue of Treasury notes; of which less than eight millions of dollars, including interest and principal, will be outstanding at the end of the year, and by the sale of one of the bonds of the Bank of the United States, for $2,254,871. The aggregate of means from these and other sources, with the balance on hand on the 1st of January last, has been applied to the payment of appropriations by Congress. The whole expenditure for the year on their account, including the redemption of more than eight millions of Treasury notes, constitutes an aggregate of about forty millions of dollars, and will still leave in the Treasury the balance before stated.

Nearly eight millions of dollars of Treasury notes are to be paid during the coming year, in addition to the ordinary appropriations for the support of Government. For both these purposes, the resources of the Treasury will undoubtedly be sufficient, if the charges upon it are not increased beyond the annual estimates. No excess, however, is likely to exist; nor can the postponed instalment of the surplus revenue be deposited with the States, nor any considerable appropriations beyond the estimates be made, without causing a deficiency in the Treasury. The great caution, advisable at all times, of limiting appropriations to the wants of the public service, is rendered necessary at present by the prospective and rapid reduction of the tariff; while the vigilant jealousy, evidently excited among the people by the occurrences of the last few years, assures us that they expect from their representatives, and will sustain them in the exercise of, the most rigid economy. Much can be effected by postponing appropriations not immediately required for the ordinary public service, or for any pressing emergency; and much by reducing the expenditures where the entire and immediate accomplishment of the objects in view is not indispensable.

When we call to mind the recent and extreme embarrassments produced by excessive issues of bank paper, aggravated by the unforeseen withdrawal of much foreign capital, and the inevitable derangement arising from the distribution of the surplus revenue among the States as required by Congress; and consider the heavy expenses incurred by the removal of Indian tribes; by the military operations in Florida; and on account of the unusually large appropriations made at the last two annual sessions of Congress for other objects; we have striking evidence, in the present efficient state of our finances, of the abundant resources of the country to fulfil all its obligations. Nor is it less gratifying to find that the general business of the community, deeply affected as it has been, is reviving with additional vigor, chastened by the lessons of the past, and animated by the hopes of the future. By the curtailment of paper issues; by curbing the sanguine and adventurous spirit of speculation; and by the honorable application of all available means to the fulfilment of obligations, confidence has been restored both at home and abroad, and ease and facility secured to all the operations of trade.

The agency of the Government in producing these results has been as efficient as its powers and means permitted. By withholding from the States the deposite of the fourth instalment, and leaving several millions at long credits with the banks, principally in one section of the country, and more immediately beneficial to it; and, at the same time, aiding the banks and commercial communities in other sections, by postponing the payment of bonds for duties to the amount of between four and five millions of dollars; by an issue of Treasury notes as a means to enable the Government to meet the consequences of their indulgencies, but affording, at the same time, facilities for remittance and exchange; and by steadily declining to employ as general depositories of the public revenues, or receive the notes of all banks which refused to redeem them with specie: by these measures, aided by the favorable action of some of the banks, and by the support and co-operation of a large portion of the community, we have witnessed an early resumption of specie payments in our great commercial capital, promptly followed in almost every part of the U. States.—This result has been alike salutary to the true interests of agriculture, commerce, and manufactures; to public morals, respect for the laws, and that confidence between man and man which is so essential in all our social relations.

The contrast between the suspension of 1814 and that of 1837 is most striking. The short duration of the latter, the prompt restoration of business, the evident benefits resulting from an adherence by the Government to the constitutional standard of value, instead of sanctioning the suspension by the receipt of irredeemable paper; and the advantages derived from the large amount of specie introduced into the country previous to 1837, afford a valuable illustration of the true policy of the Government in such a crisis. Nor can the comparison fail to remove the impression that a national bank is necessary in such emergencies. Not only were specie payments resumed without its aid, but exchanges have also been more rapidly restored than when it existed; thereby showing that private capital, enterprise and prudence are fully adequate to these ends. On all these points experience seems to have confirmed the views heretofore submitted to Congress. We have been saved the mortification of seeing the distresses of the community for the third time seized on to fasten upon the country so dangerous an institution; and we may also hope that the business of individuals will hereafter be relieved from the injurious effects of a continued agitation of that disturbing subject. The limited influence of a national bank in averting derangement in the exchanges of the country, or in compelling the resumption of specie payments, is now not less apparent than its tendency to increase inordinate speculation by sudden expansions and contractions; its disposition to create panic and embarrassment for the promotion of its own designs; its interference with politics; and its far greater power for evil than for good, either in regard to the local institutions or the operations of Government itself. What was in these respects but apprehension or opinion when a national bank was first established, now stands confirmed by humiliating experience. The scenes through which we have passed conclusively prove how little our commerce, agriculture, manufactures, or finances, require such an institution, and what dangers are attendant on its power—a power, I trust, never to be conferred by the American people upon their Government, and still less upon individuals not responsible to them for its unavoidable abuses.

My conviction of the necessity of further legislative provisions for the safe keeping and disbursement of the public moneys, and my opinion in regard to the measures best adapted to the accomplishment of those objects, have been already submitted to you. These have been strengthened by recent events; and, in the full conviction that time and experience must still further demonstrate their propriety, I feel it my duty, with respectful deference to the conflicting views of others, again to invite your attention to them.

With the exception of limited sums deposited in the few banks still employed under the acts of 1836, the amounts received for duties, and, with very inconsiderable exceptions, those accruing from lands also, have, since the general suspension of specie payments by the deposite banks, been kept and disbursed by the Treasurer, under his general legal powers, subject to the superintendence of the Secretary of the Treasury. The propriety of defining more specifically, and of regulating by law, the exercise of this vast scope of Executive discretion, has been already submitted to Congress.

A change in the office of collector at one of our principal ports, has brought to light a defalcation of the gravest character, the particulars of which will be laid before you in a special report from the Secretary of the Treasury. By his report and the accompanying documents, it will be seen that the weekly returns of the defaulting officer apparently exhibited, throughout, a faithful administration of the affairs intrusted to his management. It, however, now appears that he commenced abstracting the public moneys shortly after his appointment, and continued to do so, progressively increasing the amount, for the term of more than seven years, embracing a portion of the period during which the public moneys were deposited in the Bank of the United States, the whole of that of the State bank deposite system, and concluding only on his retirement from office, after that system had substantially failed, in consequence of the suspension of specie payments.

The way in which this defalcation was so long concealed, and the steps taken to indemnify the United States, as far as practicable, against loss, will also be presented to you. The case is one which imperatively claims the attention of Congress, and furnishes the strongest motive for the establishment of a more severe and secure system for the safe keeping and disbursement of the public moneys than any that has heretofore existed.

It seems proper, at all events, that, by an early enactment, similar to that of other countries, the application of public money by an officer of Gov't to private uses, should be made a felony, and visited with severe and ignominious punishment. This is already, in effect, the law in respect to the mint, and has been productive of the most salutary results. Whatever system is adopted, such an enactment would be wise as an independent measure, since much of the public moneys must, in their collection and ultimate disbursement, pass twice through the hands of public officers, in whatever manner they are intermediately kept. The Gov't, it must be admitted, has been from its commencement comparatively fortunate in this respect. But the appointing power cannot always be well advised in its selections, and the experience of every country has shown, that public officers are not at all times proof against temptation. It is a duty, therefore, which the Gov't owes, as well to the interests committed to its care as to the officers themselves, to provide every guard against transgressions of this character, that is consistent with reason and humanity. Congress cannot be too jealous of the conduct of those who are entrusted with the public money, and I shall at all times be disposed to encourage a watchful discharge of this duty. If a more direct co operation on the part of Congress, in the supervision of the conduct of the officers entrusted with the custody and application of the public money, is deemed desirable, it will give me pleasure to assist in the establishment of any judicious and constitutional plan by which that object may be accomplished. You will, in your wisdom, determine upon the propriety of adopting such a plan, and upon the measure necessary to its effectual execution. When the late Bank of the U. S. was incorporated, and made the depository of the public moneys, a right was reserved to Congress to inspect, at its pleasure, by a committee of that body, the books and the proceedings of the Bank. In one of the States whose banking institutions are supposed to rank amongst the first in point of stability, they are subjected to constant examination by commissioners appointed for that purpose, and much of the success of its banking system is attributed to this watchful supervision. The same course has also, in view of its beneficial operation, been adopted by an adjoining State, favorably known for the care it has always bestowed upon whatever relates to its financial concerns. I submit to your consideration whether a committee of Congress might not be profitably employed in inspecting, at such intervals as might be deemed proper, the affairs and accounts of officers entrusted with the custody of the public moneys. The frequent performance of this duty might be made obligatory on the committee in respect to those officers who have large sums in their possession, and left discretionary in regard to others. They might report to the Executive such defalcations as were found to exist, with a view to a prompt removal from office unless the default was satisfactorily accounted for; and report also to Congress, at the commencement of each session, the result of their examinations and proceedings. It does appear to me, that, with a subjection of this class of public officers to the general supervision of the Executive, to examinations by a committee of Congress, at periods of which they should have no previous notice, and to prosecution and punishment as for felony for every breach of trust, the safe keeping of the public moneys, under the system proposed, might be placed on a surer foundation than it has ever occupied since the establishment of the Government.

The Secretary of the Treasury will lay before you additional information containing new details on this interesting subject. To these I ask your early attention. That it should have given rise to great diversity of opinion cannot be a subject of surprise. After the collection and custody of the public moneys had been for so many years connected with, and made subsidiary to, the advancement of private interests, a return to the simple and self-denying ordinances of the constitution could not but be difficult. But time and free discussion eliciting the sentiments of the people, and aided by that conciliatory spirit which has ever characterized their course on great emergencies, were relied upon for a satisfactory settlement of the question. Already has this anticipation on one important point at least—the impropriety of diverting public money to private purposes—been fully realized. There is no reason to suppose that legislation upon that branch of the subject would now be embarrassed by a difference of opinion, or fail to receive the cordial support of a large majority of our constituents. The connection which formerly existed between the Government and banks was in reality injurious to both, as well as to the general interests of the community at large. It aggravated the disasters of trade and the derangements of commercial intercourse, and administered new excitement and additional means to wild and reckless speculations, the disappointments of which threw the country into convulsions of panic, and all but produced violence and bloodshed. The imprudent expansion of bank credits, which was the natural result of the command of the revenues of the State, furnished the resources for unbounded license in every species of adventure, seduced industry from its regular and salutary occupations by the hope of abundance without labor, and deranged the social state by tempting all trades and professions into the vortex of speculation on remote contingencies.

The same wide-spreading influence impeded also the resources of the Government, curtailed its useful operations, embarrassed the fulfilment of its obligations, and seriously interfered with the execution of the laws. Large appropriations and oppressive taxes are the natural consequences of such a connection, since they increase the profits of those who are allowed to use the public funds, and make it their interest that money should be accumulated and expenditures multiplied. It is thus that a concentrated money power is tempted to become an active agent in political affairs, and all past experience has shown on which side that influence will be arrayed. We deceive ourselves if we suppose that it will ever be found asserting and supporting the rights of the community at large, in opposition to the claims of the few.

In a Government whose distinguishing characteristic should be a diffusion and equalization of its benefits and burdens, the advantage of individuals will be augmented at the expense of the mass of the people. Nor is it the nature of combinations for the acquisition of legislative influence to confine their interference to the single object for which they were originally formed. The temptation to extend it to other matters, is, on the contrary, not unfrequently too strong to be resisted. The influence, in the direction of public affairs, of the community at large, is, therefore, in no slight danger of being sensibly and injuriously affected by giving to a comparatively small, but very efficient class, a direct and exclusive personal interest in so important a portion of the legislation of Congress as that which relates to the custody of the public moneys. If laws acting upon private interests cannot always be avoided, they should be confined within the narrowest limits, and left, wherever possible, to the Legislatures of the States. When not thus restricted, they lead to combinations of powerful associations, foster an influence necessarily selfish, and turn the fair course of legislation to sinister ends, rather than to objects that advance public liberty, and promote the general good.

The whole subject now rests with you, and I cannot but express a hope that some definite measure will be adopted at the present session.

It will not, I am sure, be deemed out of place for me here to remark, that the declaration of my views in opposition to the policy of employing banks as depositories of the gov't funds, cannot justly be construed as indicative of hostility, official or personal, to those institutions; or to repeat, in this form, and in connection with this subject, opinions which I have uniformly entertained, and on all proper occasions expressed. Though always opposed to their creation in the form of exclusive privileges, and, as a State magistrate, aiming by appropriate legislation to secure the community against the consequences of their occasional mismanagement, I have yet ever wished to see them protected in the exercise of rights conferred by law, and have never doubted their utility, when properly managed, in promoting the interests of trade, and, through that channel, the other interests of the community. To the Gen. Gov't they present themselves merely as State institutions, having no necessary connection with its legislation or its administration. Like other State establishments, they may be used or not in conducting the affairs of the gov't, as public policy and the general interests of the Union may seem to require. The only safe or proper principle upon which their intercourse with the Gov't can be regulated, is that which regulates their intercourse with the private citizen—the conferring of mutual benefits.

When the Government can accomplish a financial operation better with the aid of the banks than without, it should be at liberty to seek that aid as it would the services of a private banker, or other capitalists or agents, giving the preference to those who will serve it on the best terms. Nor can there ever exist an interest in the officers of the General Government, as such, inducing them to embarrass or annoy the State banks any more than to incur the hostility of any other class of State institutions, or of private citizens. It is not in the nature of things that hostility to those institutions can spring from this source, or any opposition to their course of business, except when they themselves depart from the objects of their creation, and attempt to usurp powers not conferred upon them, or to subvert the standard of value established by the constitution. While opposition to their regular operations cannot exist in this quarter, resistance to any attempt to make the Government dependent upon them for the successful administration of public affairs, is a matter of duty, as I trust it ever will be of inclination, no matter from what motive or consideration the attempt may originate.

It is no more than just to the banks to say, that, in the late emergency, most of them firmly resisted the strongest temptations to extend their paper issues, when apparently sustained in a suspension of specie payments by public opinion, even though in some cases invited by legislative enactments. To this honorable course, aided by the resistance of the General Government, acting in obedience to the constitution and laws of the United States, to the introduction of an irredeemable paper medium, may be attributed, in a great degree, the speedy restoration of our currency to a sound state, and the business of the country to its wonted prosperity. The banks have but to continue in the same safe course, and be content in their appropriate sphere, to avoid all interference from the General Government, and to derive from it all the protection and benefits which it bestows on other State establishments, on the people of the States, and on the States themselves. In this, their true position, they cannot but secure the confidence and good will of the people and the Government, which they can only lose when, leaping from their legitimate sphere, they attempt to control the legislation of the country, and pervert the operations of the Government to their own purposes.

Our experience under the act passed at the last session, to grant pre-emption rights to settlers on the public lands, has as yet been too limited to enable us to pronounce with safety upon the efficacy of its provisions to carry out the wise and liberal policy of the Government in that respect. There is, however, the best reason to anticipate favorable results from its operation. The recommendations formerly submitted to you, in respect to a graduation of the price of the public lands, remain to be finally acted upon. Having found no reason to change the views then expressed, your attention to them is again respectfully requested.

Every proper exertion has been made, and will be continued, to carry out the wishes of Congress in relation to the tobacco trade, as indicated in the several resolutions of the House of Representatives and the legislation of the two branches. A favorable impression has, I trust, been made in the different foreign countries to which particular attention has been directed, and although we cannot hope for an early change in their policy, as in many of them a convenient and large revenue is derived from monopolies in the fabrication and sale of this article, yet, as these monopolies are really injurious to the people where they are established, and the revenue derived from them may be less injuriously and with equal facility obtained from another and a liberal system of administration, we cannot doubt that our efforts will be eventually crowned with success, if persisted in with temperate firmness, and sustained by prudent legislation.

In recommending to Congress the adoption of the necessary provisions at this session for taking the next census, or enumeration of the inhabitants of the United States, the suggestion presents itself whether the scope of the measure might not be usefully extended by causing it to embrace authentic statistical returns of the great interests specially intrusted to, or necessarily affected by, the legislation of Congress.

The accompanying report of the Secretary of War presents a satisfactory account of the state of the army and of the several branches of the public service confided to the superintendence of that officer.

The law increasing and organizing the military establishment of the United States has been nearly carried into effect, and the army has been extensively and usefully employed during the past season.

I would again call to your notice the subjects connected with and essential to the military defences of the country, which were submitted to you at the last session; but which were not acted upon, as is supposed, for want of time. The most important of them is the organization of the militia on the maritime and inland frontiers. This measure is deemed important, as it is believed that it will furnish an effective volunteer force in aid of the regular army, and may form the basis for a general system of organization for the entire militia of the United States. The erection of a national foundry and gunpowder manufactory, and one for making small arms, the latter to be situated at some point west of the Alleghany mountains, all appear to be of sufficient importance to be again urged upon your attention.

The plan proposed by the Secretary of War for the distribution of the forces of the United States, in time of peace, is well calculated to promote regularity and economy in the fiscal administration of the service, to preserve the discipline of the troops, and to render them available for the maintenance of the peace and tranquility of the country. With this view, likewise, I recommend the adoption of the plan presented by that officer for the defence of the western frontier. The preservation of the lives and property of our fellow citizens who are settled upon that border country, as well as the existence of the Indian population, which might be tempted by our want of preparation to rush on their own destruction and attack the white settlements, all seem to require that this subject should be acted upon without delay, and the War Department authorized to place that country in a state of complete defence against any assault from the numerous and warlike tribes which are congregated on that border.

It affords me sincere pleasure to be able to apprize you of the entire removal of the Cherokee nation of Indians to their new homes west of the Mississippi. The measures authorized by Congress at its last session with a view to the long standing controversy with them, have had the happiest effects. By an agreement concluded with them by the commanding general in that country, who has performed the duties assigned to him on the occasion with commendable energy and humanity, their removal has been principally under the conduct of their own chiefs, and they have emigrated without any apparent reluctance.

The successful accomplishment of this important object; the removal, also, of the entire Creek nation, with the exception of a small number of fugitives amongst the Seminoles in Florida; the progress already made towards a speedy completion of the removal of the Chickasaws, the Choctaws, the Pottawatamies, the Otawas, and the Chippewas, with the extensive purchases of Indian lands during the present year, have rendered the speedy and successful result of the long-established policy of the Government upon the subject of Indian affairs entirely certain. The occasion is, therefore, deemed a proper one to place this policy in such a point of view as will exonerate the Government of the United States from the undeserved reproach which has been cast upon it through several successive administrations. That a mixed occupancy of the same territory, by the white and red man, is incompatible with the safety or happiness of either, is a position in respect to which there has long since ceased to be room for a difference of opinion. Reason and experience have alike demonstrated its impracticability. The bitter fruits of every attempt heretofore to overcome the barriers interposed by nature, have only been destruction, both physical and moral, to the Indian; dangerous conflicts of authority between the Federal and State Governments; and detriment to the individual prosperity of the citizen, as well as to the general improvement of the country. The remedial policy, the principles of which were settled more than thirty years ago, under the administration of Mr. Jefferson, consists in an extinction, for a fair consideration, of the title to all the lands still occupied by the Indians within the States and Territories of the United States; their removal to a country west of the Mississippi, much more extensive, and better adapted to their condition than that on which they then resided; the guarantee to them, by the United States, of their exclusive possession of that country forever, exempt from all intrusions by white men, with ample provisions for their security against external violence and internal dissensions, and the extension to them of suitable facilities for their advancement in civilization. This has not been the policy of particular administrations only, but of each in succession since the first attempt to carry it out under that of Mr. Monroe. All have labored for its accomplishment, only with different degrees of success. The manner of its execution has, it is true, from time to time given rise to conflicts of opinion and unjust imputations; but in respect to the wisdom and necessity of the policy itself, there has not, from the beginning, existed a doubt in the mind of any calm, judicious, disinterested friend of the Indian race, accustomed to reflection and enlightened by experience.

Occupying the double character of contractor on its own account, and guardian for the parties contracted with, it was hardly to be expected that the dealings of the Federal Government with the Indian tribes would escape misrepresentation. That there occurred in the early settlement of this country, as in all others where the civilized race has succeeded to the possessions of the savage, instances of oppression and fraud on the part of the former, there is too much reason to believe. No such offences can, however, be justly charged upon this Government since it became free to pursue its own course. Its dealings with the Indian tribes have been just and friendly throughout; its efforts for their civilization constant, and directed by the best feelings of humanity; its watchfulness in protecting them from individual frauds unremitting; its forbearance under the keenest provocations, the deepest injuries, and the most flagrant outrages, may challenge at least a comparison with any nation, ancient or modern, in similar circumstances; and if in future times a powerful, civilized, and happy nation of Indians shall be found to exist within the limits of this northern continent, it will be owing to the consummation of that policy which has been so unjustly assailed. Only a very brief reference to facts in confirmation of this assertion can in this form be given, and you are, therefore, necessarily referred to the report of the Secretary of War for further details. To the Cherokees, whose case has perhaps excited the greatest share of attention and sympathy, the United States have granted in fee, with a perpetual guaranty of exclusive and peaceable possession, 13,554,135 acres of land, on the west side of the Mississippi, eligibly situated, in a healthy climate, and in all respects better suited to their condition than the country they have left, in exchange for 9,492,160 acres on the east side of the same river. The United States have in addition stipulated to pay them five millions six hundred thousand dollars for their interest in, and improvements on, the lands thus relinquished, and one million one hundred and sixty thousand dollars for subsistence and other beneficial purposes; thereby putting it in their power to become one of the most wealthy and independent separate communities, of the same extent, in the world.

By the treaties made and ratified with the Miamies, the Chippewas, the Sioux, the Sacs and Foxes, and the Winnebagoes, during the last year, the Indian title to eighteen millions four hundred and fifty-eight thousand acres has been extinguished. These purchases have been much more extensive than those of any previous year, and have, with other Indian expenses, borne very heavily upon the Treasury. They leave, however, but a small quantity of unbought lands within the States and Territories; and the Legislature and Executive were equally sensible of the propriety of a final and more speedy extinction of Indian titles within those limits. The treaties which were, with a single exception, made in pursuance of previous appropriations for defraying the expenses, have subsequently been ratified by the Senate, and received the sanction of Congress by the appropriations necessary to carry them into effect. Of the terms upon which these important negotiations were concluded, I can speak from direct knowledge; and I feel no difficulty in affirming that the interest of the Indians in the extensive territory embraced by them, is to be paid for at its fair value, and that no more favorable terms have been granted to the United States than would have been reasonably expected in a negotiation with civilized men, fully capable of appreciating and protecting their own rights. For the Indian title to 116,349,897 acres, acquired since the 4th of March, 1829, the United States have paid $72,560,056, in permanent annuities, lands, reservations for Indians, expenses of removal and subsistence, merchandise, mechanical and agricultural establishments, and implements. When the heavy expenses incurred by the U. States, and the circumstance that so large a portion of the entire territory will be forever unsaleable, are considered, and this price compared with that for which the U. States sell their own lands, no one can doubt that justice has been done to the Indians in these purchases also. Certain it is, that the transactions of the Federal Government with the Indians have been uniformly characterized by a sincere and paramount desire to promote their welfare; and it must be a source of the highest gratification to every friend to justice and humanity to learn that, notwithstanding the obstructions from time to time thrown in its way, and the difficulties which have arisen from the peculiar and impracticable nature of the Indian character, the wise, humane, and undeviating policy of the Government in this, the most difficult of all our relations, foreign or domestic, has at length been justified to the world in its near approach to a happy and certain consummation.

The condition of the tribes which occupy the country set apart for them in the west, is highly prosperous, and encourages the hope of their early civilization. They have, for the most part, abandoned the hunter state, and turned their attention to agricultural pursuits. All those who have been established for any length of time in that fertile region, maintain themselves by their own industry. There are among them traders of no inconsiderable capital, and planters exporting cotton to some extent; but the greater number are small agriculturists, living in comfort upon the produce of their farms. The recent emigrants, although they have in some instances removed reluctantly, have readily acquiesced in their unavoidable destiny. They have found at once a recompense for past sufferings, and an incentive to industrious habits, in the abundance and comforts around them. There is reason to believe that all these tribes are friendly in their feelings towards the United States; and it is to be hoped that the acquisition of individual wealth, the pursuits of agriculture, and habits of industry, will gradually subdue their warlike propensities, and incline them to maintain peace among themselves. To effect this desirable object, the attention of Congress is solicited to the measures recommended by the Secretary of War, for their future government and protection, as well from each other as from the hostility of the warlike tribes around them, and the intrusions of the whites. The policy of the Government has given them a permanent home, and guarantied to them its peaceful and undisturbed possession. It only remains to give them a government and laws which will encourage industry, and secure to them the rewards of their exertions. The importance of some form of government cannot be too much insisted upon. The earliest effects will be to diminish the causes and occasions for hostilities among the tribes, to inspire an interest in the observance of laws to which they will have themselves assented, and to multiply the securities of property, and the motives for self-improvement. Intimately connected with this subject, is the establishment of the military defences recommended by the Secretary of War, which have been already referred to. Without them, the Government will be powerless to redeem its pledges of protection to the emigrating Indians against the numerous warlike tribes that surround them, and to provide for the safety of the frontier settlers of the bordering States.

The case of the Seminoles constitutes at present the only exception to the successful efforts of the Government to remove the Indians to the homes assigned them west of the Mississippi. Four hundred of this tribe emigrated in 1836, and fifteen hundred in 1837 and 1838, leaving in the country, it is supposed, about 2,000 Indians.—The continued treacherous conduct of these people; the savage and unprovoked murders they have lately committed, butchering whole families of the settlers of the Territory, without distinction of age or sex, and making their way into the very centre and heart of the country, so that no part of it is free from their ravages; their frequent attacks on the light houses along that dangerous coast; and the barbarity with which they have murdered the passengers and crews of such vessels as have been wrecked upon the reefs and keys which border the Gulf, leave the Government no alternative but to continue the military operations against them until they are totally expelled from Florida.

There are other motives which would urge the Government to pursue this course towards the Seminoles. The United States have fulfilled in good faith all their treaty stipulations with the Indian tribes, and have, in every other instance, insisted upon a like performance of their obligations. To relax from this salutary rule because the Seminoles have maintained themselves so long in the Territory they had relinquished, and, in defiance of their frequent and solemn engagements, still continue to wage a ruthless war against the United States, would not only evince a want of constancy on our part, but be of evil example in our intercourse with other tribes. Experience has shown that but little is to be gained by the march of armies through a country so intersected with inaccessible swamps and marshes, and which, from the fatal character of the climate, must be abandoned at the end of the winter. I recommend, therefore, to your attention, the plan submitted by the Secretary of War in the accompanying report, for the permanent occupation of the portion of the territory freed from the Indians, and the more efficient protection of the people of Florida from their inhuman warfare.

From the report of the Secretary of the Navy, herewith transmitted, it will appear that a large portion of the disposable naval force is either actively employed, or in a state of preparation for the purposes of experience and discipline, and the protection of our commerce. So effectual has been this protection, that, so far as the information of Government extends, not a single outrage has been attempted on a vessel carrying the flag of the United States, within the present year, in any quarter, however distant or exposed.

The exploring expedition sailed from Norfolk on the 19th of August last; and information has been received of its safe arrival at the island of Madeira. The best spirit animates the officers and crews, and there is every reason to anticipate, from its efforts, results beneficial to commerce and honorable to the nation.

It will also be seen that no reduction of the force now in commission is contemplated. The unsettled state of a portion of South America renders it indispensable that our commerce should receive protection in that quarter; the vast and increasing interests embarked in the trade of the Indian and China seas, in the whale fisheries of the Pacific ocean, and in the Gulf of Mexico, require equal attention to their safety; and a small squadron may be employed to stations, in aiding merchant vessels in distress, in affording active service to an additional number of officers, and in visiting the different ports of the United States, an accurate knowledge of which is obviously of the highest importance.

The attention of Congress is respectfully called to that portion of the report recommending an increase in the number of smaller vessels, and to other suggestions contained in that document. The rapid increase and wide expansion of our commerce, which is every day seeking new avenues of profitable adventure; the absolute necessity of a naval force for its protection precisely in the degree of its extension; a due regard to the national rights and honor; the recollection of its former exploits, and the anticipation of its future triumphs whenever opportunity presents itself, which we may rightfully indulge from the experience of the past; all seem to point to the navy as a most efficient arm of our national defence, and a proper object of legislative encouragement.

The progress and condition of the Post Office Department will be seen by reference to the report of the Postmaster General. The extent of post roads, covered by mail contracts, is stated to be 134,818 miles, and the annual transportation upon them 34,580,202 miles. The number of post offices in the United States is 12,553, and rapidly increasing. The gross revenue for the year ending on the 30th day of June last, was $4,262,145 00. The accruing expenditures, $4,680,068 00; excess of expenditures, $417,923 00. This has been made up out of the surplus previously on hand. The cash on hand on the first instant, was $314,068 00. The revenue for the year ending June 30, 1838, was $161,540 more than that for the year ending June 30, 1837. The expenditures of the department had been graduated upon the anticipation of a largely increased revenue. A moderate curtailment of mail service consequently became necessary, and has been effected, to shield the department against the danger of embarrassment. Its revenue is now improving, and it will soon resume its onward course in the march of improvement.

Your particular attention is requested to so much of the Postmaster General's report as relates to the transportation of the mails upon railroads. The laws on that subject do not seem adequate to secure that service, now become almost essential to the public interests, and at the same time protect the department from combinations and unreasonable demands.

Nor can I too earnestly request your attention to the necessity of providing a more secure building for this department. The danger of destruction to which its important books and papers are continually exposed, as well from the highly combustible character of the building occupied, as from that of others in the vicinity, calls loudly for prompt action.

Your attention is again earnestly invited to the suggestions and recommendations submitted at the last session in respect to the District of Columbia.

I feel it my duty, also, to bring to your notice certain proceedings at law which have recently been prosecuted in this District, in the name of the United States, on the relation of Messrs. Stockton & Stokes, of the State of Maryland, against the Postmaster General, and which have resulted in the payment of money out of the national Treasury, for the first time since the establishment of the Government, by judicial compulsion exercised by the common law writ of mandamus, issued by the circuit court of this District.

The facts of the case, and the grounds of the proceedings, will be found fully stated in the report of the decision; and any additional information which you may desire will be supplied by the proper department. No interference in the particular case is contemplated. The money has been paid; the claims of the prosecutors have been satisfied; and the whole subject, so far as they are concerned, is finally disposed of; but it is on the supposition that the case may be regarded as an authoritative exposition of the law as it now stands, that I have thought it necessary to present it to your consideration.

The object of the application to the circuit court was to compel the Postmaster General to carry into effect an award made by the Solicitor of the Treasury, under a special act of Congress for the settlement of certain claims of the relators on the Post Office Department, which award the Postmaster General declined to execute in full, until he should receive further legislative direction on the subject. If the duty imposed on the Postmaster General, by that law, was to be regarded as one of an official nature, belonging to his office as a branch of the Executive, then it is obvious that the constitutional competency of the Judiciary to direct and control him in its discharge, was necessarily drawn in question. And if the duty so imposed on the Postmaster General was to be considered as merely ministerial, and not executive, it yet remained to be shown that the circuit court of this District had authority to interfere by mandamus—such a power having never before been asserted or claimed by that court. With a view to the settlement of these important questions, the judgment of the circuit court was carried, by a writ of error, to the Supreme Court of the U. States. In the opinion of that tribunal, the duty imposed on the Postmaster General was not an official, executive duty, but one of a merely ministerial nature. The grave constitutional questions which had been discussed, were, therefore, excluded from the decision of the case; the court, indeed, expressly admitting that, with powers and duties properly belonging to the Executive, no other department can interfere by the writ of mandamus; and the question, therefore, resolved itself into this: Has Congress conferred upon the circuit court of this District the power to issue such a writ to an officer of the General Government, commanding him to perform a ministerial act? A majority of the court have decided that it has, but have founded their decision upon a process of reasoning which, in my judgment, renders further legislative provision indispensable to the public interests and the equal administration of justice.

Whatever difference of opinion may exist as to the expediency of vesting such a power in the judiciary, in a system of Government constituted like that of the United States, all must agree that these disparaging discrepancies in the law and in the administration of justice ought not to be permitted to continue; and as Congress alone can provide the remedy, the subject is unavoidably presented to your consideration.

M. VAN BUREN.

WASHINGTON, DEC. 3, 1838.

N. Carolina Legislature.

IN SENATE.

SATURDAY, Dec. 1.

Mr. Morehead, from the committee on the Judiciary, reported the bill to amend the 16th section of an act in the Revised Statutes concerning the General Assembly of the State, without amendment, recommending its rejection. The bill was then read the second time; and, after an ineffectual effort to amend by Mr. McDiarmid, rejected.

Mr. Dockery presented the petition of a number of citizens of Robeson county, praying an appropriation for the purpose of removing obstructions in Lumber river. Referred.

MONDAY, Dec. 3.

Amendment of the Constitution.—Mr. Edwards presented the following resolutions, which, on his motion, were ordered to be laid on the table and printed:

Resolved by the General Assembly of North Carolina, That it is expedient so to amend the first and second sections of the first article of the amendments to the Constitution, as to restore to the people the right of choosing *annually* the members of the Senate and of the House of Commons.

Resolved, That a select committee of —— members be appointed to report a bill agreeably to the provisions of the Constitution, to carry into effect the foregoing resolution.

On motion of Mr. Moody,

Resolved, That a committee be appointed to wait upon his Excellency the Governor, requesting him to lay before this Legislature, at as early a day as convenient, the resolution of the last Legislature and all papers relative to free schools in this State.

Currency—Banks.—Mr. Shepard presented the following resolutions, which, on his motion, were ordered to lie on the table and be printed:

Whereas, the exchanges of the currency of the country are much deranged, and it is indispensable, for the general prosperity, that this state of things should be speedily corrected, and the industry of the country placed upon that steady and permanent footing, that hereafter its exertions may not be periodically paralyzed in any way by the action of the Federal Government; and whereas, there are conflicting opinions among the people of the State of North Carolina upon the subject of a national bank, and upon the policy of an independent treasury, under the exclusive control of the Federal Executive: Therefore,

Resolved by the General Assembly of North Carolina, That it would eminently conduce to the prosperity of the people of the U. States, and tend much, for the future, to withdraw the business of the country from those entangling alliances with national politics which have been found injurious to both, that the Congress of the United States should charter three separate, distinct and independent banks, to be located, with their branches, in the three great sections of the Union, North, South and West.

And be it further resolved, That in the opinion of this Assembly, the united capitals of these banks should not exceed fifty millions of dollars, to be distributed in such portions, to the different sections of the Union, as to Congress might seem just and proper

TUESDAY, Dec. 4.

Mr. Dockery, from the Committee on Claims, to whom the subject was referred, reported a Resolution in favor of allowing B. B Smith $1250, as a compensation for the use of his house for the Legislature the present session, agreeably to the contract of the Governor, which passed its first reading.

WEDNESDAY, Dec. 5.

Mr. Morehead, from the Judiciary Committee, reported against the expediency of amending the existing laws relative to witnesses in certain cases. Concurred in.

On motion of Mr. Dockery, the Committee on Military Affairs were instructed to inquire into the expediency of so amending the Military Laws as to require Captains to muster their companies once in three months.

On motion of Mr. Morehead, the message from the House of Commons, proposing to refer the resolution of the Legislature of Louisiana on the subject of a Southern Convention, to a joint select Committee, was taken up, and, after discussion, in which Messrs Edwards, Reid and Wilson opposed, and Messrs. Morehead and Shepard advocated the proposition, concurred in, on condition that the House shall agree to the following amendment offered by Mr. Shepard: That it be referred, "with instructions to the Committee, that they report to the two Houses the reasons why, in the opinion of the Legislature of North Carolina, it is inexpedient at this time to summon a Convention of the Southern States." It is proper to remark, that there was but one feeling expressed with regard to Abolitionists. All are prepared to act decisively, and as one man, when the time for action shall arrive.

The bill to amend an act concerning the public roads, ferries and bridges in this State, was read the third time, and the title amended so as to read, "a bill to exempt minors from working on public roads, and concerning the appointment of Overseers of roads." All after the enacting clause was then stricken out, and the title ordered to lie on the table.

THURSDAY, Dec. 6.

Mr. Dockery presented the following Resolution, which was read and adopted:

WHEREAS, the Constitution of this State makes it the duty of the Legislature to establish schools for the education of the people; and whereas a faithful compliance with the said requisition of the Constitution is calculated to perpetuate the blessings of a free Government to posterity, all such governments must mainly depend upon the intelligence and virtue of the mass of the people, who are the rightful sources of all [illegible] power; and whereas this State has now a fund known as the Literary Fund, set [illegible] form a Legislatures for the purpose of [illegible] information among the people:

Resolved therefore, That the committee on Education and the Literary Fund be instructed to inquire into the expediency of distributing the interest of said fund among the several counties in this State, in proportion to their federal population, to be applied to the purposes of [illegible] the indigent youth of the State, subject to the control, direction and supervision of a [illegible] board, to be created by the county court of [illegible] respective counties; and that they have leave to report by bill or otherwise.

Establishment of Public Schools.—Mr. Spruill presented the following resolution, which was read and adopted:

Resolved, That the Committee on [illegible] and the Literary Fund be instructed to inquire into the expediency of establishing the following system of Public Schools in this State: At the first County Court which may happen to be held in every county in the State, after the 1st day of January, 1840, it shall be the duty of the County Courts to lay off their several counties into convenient Districts. The Courts shall appoint a committee in each District, whose duty it shall be to open the polls and hold an election, on a given day, in each District, for members of the House of Commons [illegible] entitled to vote. The votes shall be [illegible] "no school." It shall be the duty of the [illegible] to make returns of said election to the County Court; and in every District where a majority of votes have been cast for [illegible] Court shall appoint five discreet persons a School Committee. The said Committee shall procure a school house, and agree upon the price of a teacher. The said Committee shall [illegible] on the lands and polls of the District, to the amount of the sum necessary to pay the teacher, and the Court shall certify the same to the Public Treasurer, who shall pay the [illegible] out of any moneys in the Treasury belonging to the Literary Fund. In every District where the votes, the School system is not adopted, the Court shall order an election once in every [illegible] On motion of Mr. McDiarmid, the [illegible] tion was adopted instructing the [illegible] Committee to inquire into the expediency of so amending the law respecting [illegible] slaves, that any male slave who shall [illegible] himself as a runaway for —— months, shall be considered an outlaw; to provide [illegible] where the owner shall find it necessary to use unlawful weapons in arresting [illegible] way, and shall shoot, or injure [illegible] not be deemed a criminal offence; and compelling jailors to advertise all runaways committed to Jail in the State Gazette.

HOUSE OF COMMONS.

MONDAY, Dec. 3.

Mr. Hoke, from the Select Committee to whom was referred the memorial of citizens of Lincoln and Rutherford, reported a bill to establish a new county by the name of Caldwell; which passed its first reading.

The bill to establish the county of [illegible] son was then taken up. Mr. Hill moved its indefinite postponement, but the motion was negatived 64 to 44. Mr. Robards moved to amend the bill by striking out [illegible] and inserting Blakely. Negatived. The bill then passed its second reading.

TUESDAY, Dec. 4.

The certificate of the County Court of Cumberland, in favor of *Ann Morrison*, a Revolutionary Pensioner, received from the Senate, and [illegible] tersigned by the Speaker of that body, was ordered to be countersigned also by the Speaker of this House.

The House went into Committee of the Whole, and took up the bill to [illegible] establish a new County by the name of Jefferson. After one or two ineffectual motions to amend, the bill passed its third reading. Yeas 61, Nays 53. So the bill was ordered to be engrossed.

Proceedings concerning Abolition.—Mr. Robards, from the Select Committee to which was referred so much of the Governor's Message as relates to the Resolutions of the Legislature of Vermont on the subject of Slavery, made a Report on the same, which, together with amendments proposed by Mr. Caldwell, was made the order of the day for Thursday next.

WEDNESDAY, Dec. 5.

Mr. Boyden introduced the following resolution, which was laid on the table, [illegible] suggestion:

Resolved, as the opinion of this House, that [illegible] creditors of deceased persons, in cases of [illegible] ciency of assets, ought to receive a pro rata [illegible] ment without any regard to the dignity of [illegible] claims.

Rail Road to Beaufort Harbour.

On motion of Mr. E. S. Bell,

Resolved, That the Committee on Internal Improvement be instructed to inquire into the expediency of constructing a communication by Rail Road from some point at or near Beaufort harbour, through or near Trenton in Jones County, thence Westwardly, by the most convenient and eligible route to intersect with the contemplated Cape Fear, Yadkin and Peedee Rail Road near the town of Fayetteville.

The Public Lands.

Mr. Cardwell offered the following resolutions, which were read and laid on the table:—

Resolved, That any Act of Congress proposing to distribute the Public Lands to the States in which they lie, would be violating the rights of the old States, and the spirit of the Constitution

Resolved, further, That any act of Congress setting apart the proceeds of the sale of the Public Lands for distribution among the States, would necessarily compel the General Government to raise the whole amount of its revenues from imposts, which would bear heavily upon the people.

Resolved, further, That it is a violation of the principles of a free Government, to set apart over the people to collect, directly or indirectly, their money, to be dealt out again to them at the mercy of Executive or Legislative authority.

Resolved, further, That the best interests of the Union require that no more Revenue should be collected from the People than is absolutely necessary to defray the expenditures of an economical administration of the General Government.

Resolved, That the Governor of this State be, and he is hereby requested, to transmit copies of these Resolutions to each of our Senators and Representatives in the Congress of the U. States.

THURSDAY, Dec. 6.

The bill to lay off and establish a new County by the name of Stanly, passed its third reading, and was ordered to be engrossed.—Yeas 72, Nays 48.

Mr. Perkins introduced a Resolution providing upon Saturday, the 22d inst. at 10 o'clock for the final adjournment of the two Houses. On motion of Mr. Hill, the Resolution was so amended as to provide for holding the following Sessions from and after the 17th inst. The whole matter was then laid on the table.

Abolition of Slavery.

The House proceeded to the order of the day, and took up the following Resolution

...d by the Select Committee to whom ...referred so much of the Governor's Mes... as relates to the proceedings of the Le...ture of Vermont on the subject of the ...stion of Slavery:

...olved, That the Resolution from the State of ...ont on the Abolition of Slavery, transmitted ...by his Excellency, the Governor of this ...is a gross assault on the rights and domes... institutions of the South.

...olved, That it is inconsistent with the digni... solemn duty of this Legislature, to make ...sponse to them whatever.

...olved, That upon the subject of the Aboli... of Slavery, we have but one opinion, and will ...mit ourselves to entertain or debate it, and ...ert to provoke discussion will be instantly ...with the most decisive reprobation.

...J. P. Caldwell withdrew the amend... ...n was agreed to by yeas and the question ...the adoption of the Resolutions, was de... in the affirmative—Yeas 110, Nay 1.

...Rod presented a bill providing for ...appointment of overseers and hands to ...out Big and Little Rockfish Creeks, ...berland and Robeson counties.

...Speaker laid before the House a state... ...from the Raleigh and Gaston Rail Road ...pany, exhibiting the receipts and dis... ...ments of the Company to the 1st of ...ember 1838, which was referred to the ...ittee on Internal Improvement.

FRIDAY, Dec. 7.

...Crawford, from the Committee on ...ation, reported the bill to incorporate ...trustees of Davidson College. The bill ...passed its second and third readings, ...as ordered to be engrossed.

...hour of 12 o'clock having arrived, ...ant to previous agreement, the two ...es assembled in Convention, for the ...se of comparing the votes for Governor, ...Election in August last, the result of ...will be found in another column.

...e are compelled again to omit the de... ...proceedings of Saturday. In the House ...ommons, the bill to establish Cleveland ...ty passed its second reading 57 to 56; ...y little else was done. In the Senate, ...ill to establish Henderson County pass... ...final reading, and was ordered to be ...ed. It is, therefore, a law.

...olicitors.—John F. Poindexter, Esq. ...been re-elected Solicitor General, with... ...position; and Alexander Troy, Esq. ...also been re-elected Solicitor of the 5th ...cial Circuit, without opposition.

...ounsellors of State.—The following ...lemen were on Monday last, elected ...nsellors of State: Messrs. John A. An... ...n, of Hertford; A. Goodwyn, of Chat... ...J. P. Leak, of Richmond; Johnston ...ee, of Wake; Thos. McGehee, of Per... ...Dr. Willie Perry, of Franklin; Isaac ...ery, of Burke—all Whigs.

Raleigh Star.

...te for Governor.—The ceremony of ...ing the official returns of the votes ...for Governor in August last, took ...on Friday last, in the presence of both ...ches of the Legislature, as prescribed ...e Constitution. In 61 Counties of the ..., the vote was for Dudley (Whig) ...29—for Branch (Adm.) 20,153—show... ...a majority of 14,176. The returns ...eral counties were, however, set aside ...account of informality, which greatly de... ...es Dudley's *actual* majority. It is as... ...thing that in *such important matters*, ...e, the rejection of the vote of a single ...y may, *in the event of a close contest*, ...t the wishes of a majority of the people ...e State, that greater precautions are ...taken to have the returns properly ...In one of the counties, (Gates,) the ...n from which was rejected at the *last* ...tion, for informality, Branch's vote is ...now counted, because the return states ...Gen. *L.* Dudley received so many ...instead of Gen. E. B. Dudley. No ...n has been received at all from Ruth... ...d, whilst Ashe, Guilford and Perquim... ...are deprived of their vote, because they ...not regular. Had the votes of these ...ies been taken into the calculation, ...y's *official* majority would have been, ...*actual* majority is, 17,016!!

Ral. Register.

ST. AUGUSTINE, Nov. 24.

...*Indian Murders.*—On Monday last, ...ily of twelve persons of the name of ..., were murdered twenty-one miles ...Black Creek, in a northwest direction.

News.

...*ext from Tampa Bay.*—By Express, ...ed at Black Creek on the 20th inst. ...Tampa Bay, we learn that a sub chief ...*Tallahassees*, with his family, in all a... ...fifteen persons, were *escorted* into ... This number it is said, constitute ...whole amount of those disposed *now to* ...ate.—*Ibid.*

...*ligh and Gaston Road.*—We learn ...the Tolls, on that part of the Raleigh ...aston Road which is now under the ...n, amounted, the last month, to $4,000 ...half of which as near as may be, was ...assengers and the other for the transpor... ...of Merchandise. This is not only a ...fair business, but it shows conclusive... ...at has been stoutly denied, that this ...will be profitable as a produce Road ...nothing of its decided advantages as ...ain for the transportation of the Mail ...assengers.—*Raleigh Register.*

Swartwout's Defalcation.—The Globe ...*The great mass of the defalcation, ...derstand, took place since the close of ...Jackson's administration.*" "Now, all ...recollect," adds the Madisonian, "that ...pension of specie payments took place ...fty eight days after General Jackson's ...istration ceased. Mr. Swartwout con... ...in office nearly a year thereafter, and ...ted the affairs of the same on the Sub... ...n principle, during which period it ...alleged the great mass of the defalca... ...took place. The experiment has been ...the beauties of the scheme are most ...fully illustrated, and the people have ...dearly (if not too dear,) for the whis...

...*ale Forest Institute.*—An Examination ...students of this institution was held ...Monday, Tuesday, and Wednesday of ...week, and on Thursday an Address ...delivered before the Societies by Wes... ...Gales, Esq., all of which are spoken ...terms of honorable commendation.

Raleigh Register.

OBSERVER.

FAYETTEVILLE:

WEDNESDAY EVENING, DEC. 12, 1838.

Cotton.—Sales in this town 8 to 11 cents.

New Mail Arrangement.—It is rumored that the route of the great Mail going North and South has been changed, and the Mail will, after the 1st of January, be sent through Wilmington, instead of this place, and that from this place to Raleigh will be carried in a *Sulkey*. If this be true, it will be an act of injustice to the citizens of this place, as well as elsewhere, which will be hard for them to submit to.

Since the above was in type, the letter from the Editor, which will be found below, was received, and proves that Madam Rumor spoke but too truly in the present case.

Letter from the Editor of the Observer, dated

"RALEIGH, Dec. 10, 1838.

The Internal Improvement Convention assembled this afternoon at 3 o'clock, at the Methodist Church, and was organized in the presence of a large number of spectators, in addition to the great body of Delegates present. On motion of Col. Robert Macnamara, a delegate from Rowan, the Hon. Romulus M. Saunders was appointed President, and Gen. Cook of Davie, and John Winslow, Esq. of Fayetteville, Secretaries. Judge Saunders delivered an appropriate address on taking the Chair. The names of the Delegates were then recorded, and it was found that 155 Delegates, representing 37 counties, were present. Among them are the following from Cumberland, viz: John Huske, Charles P. Mallett, Louis D. Henry, Edward L. Winslow, Dr. T. N. Cameron, E. W. Willkings, Jonathan Evans, John W. Sandford, Col. Alex. Murchison, John Winslow, and E. J. Hale.

On motion of L. D. Henry, Esq. as modified at the suggestion of John A. MacRae, Esq., a Committee of one member from each Congressional District was ordered to be appointed, to take into consideration the whole subject, and particularly such propositions as may be submitted to the Convention. A recess of a few moments ensued, in which the Delegates from each District selected a member of the Committee. The following was the result:—

General Committee—Edward L. Winslow, Dr. J. W. Hawkins, Dr. M. M. Orr, T. H. Walker, Gen. Edmund Jones, Thos. Clingman, Robt. Macnamara, Jeremiah Lippitt, Dr. J. A. Foulks, John H. Bryan, Hon. W. B. Shepard, George S. Holley, Jas. W. Bryan.

On successive motions, Major Wm. Gibbs McNeill, the distinguished Engineer, Gen. Jas. Owen, Col. Andrew Joyner, Hon. Wm. B. Shepard, and one or two others, were invited to seats in the Convention. The Convention adjourned till to-morrow morning, 10 o'clock.

In the Legislature to-day, a variety of subjects were acted on, but generally of a private and uninteresting nature.

In the Senate, the most interesting occurrence was a speech from Mr. Wm. B. Shepard, on the resolutions submitted by him a few days ago, proposing that Congress incorporate a large Bank in each of the three great divisions of the Union. I heard only the close of the speech, and can therefore say but little as to its merits. On his own motion, the subject was then laid on the table.

The bill to divide the County of Orange came up, and after considerable debate, between Messrs. Allison, Edwards, Albright, Taylor, and others, was rejected—25 votes to 21.

In the House of Commons, Mr. Hill's resolutions relative to the Public Lands came up, on which Mr. Hill and Mr. Cardwell addressed the House. The subject was then laid over. No other business of importance.

There is a deep and strong excitement here in consequence of information just received, that the Postmaster General has decided to transport the great mail on the Wilmington road, and to supply Raleigh, Fayetteville, Cheraw, Camden and Columbia with a tri-weekly mail, forwarded probably, (as a distinguished gentleman said at a meeting to-night,) "on a bob-tailed poney." A meeting was hastily called, attended by from 100 to 200 citizens and members, over which Judge Saunders presided. He spoke earnestly on the subject which had called the meeting together, after which Mr. Guion made a statement of the intentions of Mr. Kendall; and Judge Badger, in proposing a committee to report to an adjourned meeting to-morrow night, spoke in indignant terms of the injury about to be inflicted on the people of this State, but especially on the insult offered to the State in supplying her Capital with a tri-weekly mail. The committee consists of Judge Saunders, W. N. Edwards, Gen. Dockery, W. A. Graham, M. Q. Waddell, Dr. Cameron, and others whose names I did not catch."

Portrait Painting.—We refer our readers to the advertisement of Messrs. Bogle, whose success in their profession, ample as it promises to be, cannot exceed their merits as gentlemen.

The Raleigh Standard asserts that 15,000 abolitionists voted the Whig Ticket in New York at the late election. How does the Standard arrive at the fact? We have been taught to believe that it was as criminal to assert as a fact, that which is only supposition, as to tell a downright falsehood. The Standard does not give this as an estimate, or supposition, but asserts it as a fact.

But admit the assertion to be true, as it may possibly be, though not known to be so, does it not prove that the great body of the abolitionists of New York are in favor of Van Buren? Will any one pretend that there are only 15,000 abolitionists in that great State? We imagine not. We have not the least doubt, (though we do not assert it as a fact, for we have no means of knowing positively,) that more than 50,000, nay we would say 100,000, of the 350,000 voters of New York are abolitionists. All over 15,000. according to the Standard's own admission, voted the Loco Foco Ticket.

The Standard also says that the "Abolition Whiggery" at the North have dropped Mr. Clay. So be it. We shall support him with the more zeal.

The Reign of Terror.—Our Northern papers are filled with accounts of one of the most outrageous and disgraceful riots that has ever occurred in this country. When the Legislature of Pennsylvania assembled on Tuesday the 4th inst., the names of the members of the House of Representatives were being called over, when, coming to the names of those from Philadelphia county, the Clerk was called upon to furnish the returns of the election of those members, which was done by the Secretary of State, and the Whig members were declared to be elected. The Loco Foco members were also in attendance to contest their seats. The election of Speaker coming on, Thomas Cunningham was voted for by the Whigs, and declared to be elected; and the Loco Focos, proceeding to elect a Speaker of their own, declared William Hopkins to be elected, and after some further proceedings, the *two* bodies of this House adjourned.

The Senate met at 3 o'clock, but were unable to proceed with any business. A band of hired ruffians, brought for the express purpose, from Philadelphia county, were in attendance to overawe them in their deliberations, and the Senate was broken up in confusion. The mob then took possession of the Senate chamber, organized a political meeting, and "revolution and bloodshed were openly proclaimed."

At the last accounts, the Governor had issued a proclamation, calling for troops from the adjoining counties to aid in suppressing the insurrection.

If such outrages are not speedlly put down by the strong arm of the law, it will truly have become necessary for men to "legislate with pistols on their desks!"

The Hon. Thomas H. Benton has been re-elected to the Senate of the United States from Missouri.

Another Defalcation.—William D. Price, District Attorney for the Southern District of New York, has been discovered to be a defaulter to a very large amount.

The President's Message, in all its length and breadth, will be found in this paper. It is a document calculated to produce less *sensation* than any emanating from a President for several years. It again urges, it is true, the twice-defeated Sub-Treasury Scheme, but it is done in rather a subdued tone. It has not one word on the subject of the recent elections,—a subject with which the Messages have, of late years, been rife. It runs no tilt against the Pennsylvania Bank of the U. States, as usual; though it declaims against a National Bank. It takes no notice of Abolition, greatly to the mortification of the Globe, no doubt, and all the little Globes. But the most important part of the Message, perhaps, is its confession of faith relative to the State Banks, and the credit system. It may be true, as Mr. Van Buren says, that he has "no hostility, personal or political, to these institutions," and "has never doubted their utility;" but if so, the avowed opinions and acts of his party are little in consonance with his own. If such are his opinions, he should not permit the Globe, which is his accredited organ, to wage an incessant war against the Banks, and to excite his whole party against them, by never ending slang about Bank-rags, rag-barons, monopolies, exclusive privileges, &c. But the cause of this disclaim at the present moment cannot be mistaken. The crusade of his party against the credit system has lost him New York, and it is important if possible to win it back, and *therefore* it is now expedient to sustain the Banks. We rejoice that he has been taught so salutary a lesson, believing, as we do, that their destruction, which has evidently been the object of the party, would destroy the value of property, put an end to all public improvements, and throw our country back half a century at least.

It will be seen that the expenditures of the present year have been forty millions of dollars. Pretty well for this economical Administration! We turned out Mr. Adams because he was so extravagant as to spend thirteen millions a year to support the government; and put in an economical party, which was intent upon "reform," who cannot get along with less than forty millions. We would like to know if the late defalcations, (one of which is admitted in the Message,) are included in this sum, or whether they are all to be added to the forty millions.

The reader will be struck with the amount of the evils attributed to the pet Bank System by the Message—that favorite system of Gen. Jackson. It is made a perfect Pandora's box, from which cause "disasters, derangements, reckless speculations, convulsions, panic, and all but violence and bloodshed;" to say nothing of "large appropriations and oppressive taxes, obstruction of the laws, &c. bankruptcy of the government." And is it possible that Gen. Jackson's favorite financial scheme, to laud which was the last act of his polttical life, is so characterised by his creature? Alas, for the ingratitude of man!

Gov. Dudley's Message has been very highly complimented, as well out of the State as in it, and portions of it copied extensively in the papers of other States. The following samples will show the general tone of the press:—

FROM THE PETERSBURG INTELLIGENCER.

Gov. Dudley's Message.—We publish to-day extracts from the Message of Governor Dudley to the North Carolina Legislature. We have carefully read this message, and look upon it as a most interesting and instructive document, the whole of which we would gladly publish, but are deterred by its great length.

FROM THE CHERAW GAZETTE.

The message of Governor Dudley of North Carolina is one of the most bold, original and able which we have, in a long time, seen from the executive head of any State. It is very long and we cannot therefore copy it entire Extracts will be found in the preceding columns, and will be continued next week.

Prospects of the Sub-Treasury.—The National Intelligencer does not doubt that the Sub-Treasury Scheme will be again defeated, at this Session. We do not well see how it can be otherwise; and yet we find a remarkable paragraph in the New York Herald, whose "Money Market" news is always extensively quoted, and is said to be more worthy of reliance than the views of any other New York paper on that subject. The Herald says, that the evils of keeping the Sub-Treasury hanging over the public in terorem, and the utter ruin to the dominant party which its operation will ensure, will, it "learns from undoubted authority," determine the opposition to yield, and permit the bill to pass. "There is, therefore, says the Herald, no earthly doubt that the far-famed Treasury Scheme will, on the 1st January, 1839, be the law of the land." The Herald anticipates that it will throw into the hands of the Sub-Treasurers many millions of dollars, which they will use in propping up their land speculations, and that in 1841, when they go out of office, they will be defaulters to the amount of twenty millions at least.

We give these things for what they are worth.

We have received the Prospectus of the "Wilmington Weekly Chronicle," a new paper to be published in Wilmington by Asa A. Brown, Esq We have not room this week, but will endeavor to insert it in our next.

EDITOR'S CORRESPONDENCE.

"WASHINGTON, Dec. 8.

"The Resolutions thought likely to be adopted by your State Legislature, I have had an opportunity of seeing. They are *strong* and *explicit*, and contain virtually as plain instructions as honest men should desire or ask for; but the general belief here is, that they will be disregarded by the gentlemen for whose benefit they are intended.

"The practical doctrine of the Administration party seems to be, that instructions should be binding on the Whigs, but when given to themselves it "*alters the case.*"

"Nothing has been done by either House of Congress since the Message was received, worthy of attention. Both Houses on Thursday adjourned over to Monday night.

The dissentions which prevail at Harrisburg, in organizing the two Houses of the Legislature of Pennsylvania, seem now to attract much more attention here than any thing Congress has done. The last accounts from that place state that the *mob* had full possession of the Capital, and that violence and intimidation were the order of the day.

"Painful apprehensions are entertained here of the consequences which may follow this state of things.

"It is said several of the members of Congress from that State left this city last night for Harrisburg, with a view of effecting an accommodation, and that much anxiety is felt at the White House about these movements. Such are the fruits of modern Democracy.

"Another defalcation has recently occurred here in a Government officer as little suspected generally as any other,—Gen. Gratiot, of the Engineer Department, for some (as report says) 50 or $60,000. He has been removed a day or two ago, and it is said his salary has been withheld one or two years on that account Consequently it must have been known for some time to the government — How many others are in the same predicament, including Sub-Treasurers, &c. who can tell?"

CONGRESS.—In the Senate, on Monday the 3d inst. the Hon. Wm. R. King, President *pro tem*, took the Chair, and 34 members answered to their names, among whom was Mr Strange of this State. No business was done, except to appoint a committee to inform the President of the organization.

On Wednesday, no business of importance was transacted.

On Thursday, the Chair announced to the Senate the following as the Standing Committees of the Senate for the ensuing Session:—

On Foreign Relations.—Messrs. Buchanan, (Chairman,) Tallmadge, Clay, of Kentucky, Rives, Niles.

On Finance.—Messrs. Wright, (Chairman,) Webster, Nicholas, Benton, Hubbard.

On Commerce.—Messrs. King, (Chairman,) Davis, Brown, Norvell, Rugglos.

On Manufactures.—Messrs. Niles, (Chairman,) Lumpkin, Preston, Strange, Rugglos.

On Agriculture.—Messrs. Smith, of Conn. (Chairman,) Spence, Linn, McKean, Mouton.

On Military Affairs.—Messrs. Benton, (Chairman,) Preston, Tipton, Wall, Allen.

On Militia.—Messrs. Clay, of Alabama, (Chairman,) Swift, of Indiana, Foster.

On Naval Affairs—Mr. Rives, (Chairman,) Southard, Tallmadge, Cuthbert, Williams.

On Public Lands.—Mr. Walker, (Chairman,) Fulton, Clay, of Alabama, Allen, Prentiss.

On Private Land Claims.—Messrs. Linn, (Chairman,) Sevier, Bayard, Monton, Lyon.

On Indian Affairs.—Messrs. White, (Chairman,) Sevier, Tipton, Linn, Swift.

On Claims.—Messrs. Hubbard, (Chairman,) Tipton, Crittenden, Young, Merrick.

On Revolutionary Claims.—Messrs. Brown, (Chairman,) White, Crittenden, Norvell, Smith, of Conn.

On the Judiciary.—Messrs. Wall, (Chairman,) Morris, Clayton, Strange, Pierce.

On the Post Office and Post Roads.—Messrs. Robinson, (Chairman,) Lumpkin, Wright, Brown, Merrick.

On Roads and Canals.—Messrs. Tipton, (Chairman,) McKean, Young, Lyon, Foster.

On Pensions.—Messrs. Morris, (Chairman,) Prentiss, Pierce, Roane, Williams.

For the District of Columbia.—Messrs. Roane, (Chairman,) Nicholas, Spence, Bayard, McKean.

On Patents and the Patent Office.—Messrs. Strange, (Chairman,) Davis, Prentiss, Robinson, Lyon.

Committee to Audit and Control Contingent Expenses of the Senate.—Messrs. McKean, (Chairman,) Fulton, Knight.

On Engrossed Bills.—Messrs. Norvell, (Chairman,) Smith, of Indiana, Merrick.

A bill was introduced by Mr. Prentiss for the prevention of duelling in the District of Columbia, and for the punishment of the same, which was read twice by unanimous consent, and referred to the committee on the Judiciary.

After the various parts of the President's Message had been referred to the appropriate committees, the Senate adjourned over to Monday.

In the House, Mr. Speaker Polk took the Chair, and 210 out of 242 members answered to their names. All the members from North Carolina were present except Mr. Graham.

The death of the late Clerk, Mr. Franklin, having been announced. the House proceeded to vote, *viva voce*, for a successor. There being nine candidates, there was no election until the third trial, when Hugh A. Garland, of Virginia, (Van,) received 106 votes, and M. St. Clair Clark (Whig) 104. Mr. Garland was consequently elected. Two of our Whig members, Messrs. Sawyer and Charles Shepard, voted for Mr. Garland. If they had voted as their constituents expected, Mr. Clark would have been chosen. It is a little remarkable of Mr. Shepard's course, that on the first trial he voted for Mr. Clark, on the second he did not vote at all, and on the third he voted for Mr. Garland. Mr. Sawyer voted for Garland throughout.

On Tuesday the President's Message was read in both Houses. After which, Mr. Adams commenced his exhibitions for the season, by opposing, first, a resolution in relation to Texas, which was laid on the table; and then the following, which, after some debate, shared the same fate:—

Resolved, That a committee of —— members be appointed, with leave to send for persons and papers, to inquire and report to this House—

1st. Whether ANDREW STEVENSON, Envoy Extraordinary and Minister Plenipotentiary from the United States at London, is or has recently been engaged in a public newspaper controversy involving his personal integrity and the honor of this country, whose representative he is, with DANIEL O'CONNELL, a member of the Parliament of the United Kingdom of Great Britain and Ireland?

2d. Whether the said ANDREW STEVENSON, holding the privileged character of an Ambassador, has, in concert with three other persons, citizens of the United States, one of whom an officer in their Navy, engaged in a conspiracy with intent to *stop the wind*, or, in the language of the laws of God and of man, to murder the said DANIEL O'CONNELL in a duel, or by a premeditated provocation to a brawl.

3d. Whether the said ANDREW STEVENSON, after a written demand of explanation in the form usual among duellists as preliminary to a challenge, and with the attempt to follow it up by a challenge, preconcerted with the said three other citizens of the United States, did accept of an answer from the said DANIEL O'CONNELL equally unsatisfactory to the codes of genuine and of spurious honor, and thereby tacitly admit the truth of the imputation upon his honor, at which he had professed to take offence.

4th. Whether the said ANDREW STEVENSON, in these transactions, has violated the duties of his office as an ambassador of peace, the laws of nations, the laws of the land, to the Government of which he was accredited, the privileges of the British House of Commons in the person of one of its members, and the honor and interest of his own country.

5th. Whether the said ANDREW STEVENSON has, in these transactions, so conducted himself as to require the constitutional interposition of this House by impeachment or otherwise.

On Wednesday, the House met, and having passed resolutions of respect for the memory of the Hon. William Patterson, and the Hon. Andrew De Witt Bruyn, late Representatives from New York, who have died during the last summer, adjourned over to the next day.

On Thursday, Mr. Graham of this State appeared and took his seat.

The Contested Election in Wisconsin Territory, being first in order, was then taken up, but was, on motion, postponed until Monday for further consideration.

A resolution was introduced by Mr. Dromgoole, proposing that "In all cases of election by the House the vote shall be taken *viva voce*," which resolution, by reason of its proposing a change in the rules of the House, was laid over for one day.

Mr. Adams introduced a "Bill to prevent Duelling," and providing for the punishment of the same, which was, on motion, referred to a select committee of nine members. And some further resolutions connected with the subject were, under the rules, laid over for one day.

After which, the House adjourned over to Monday.

We learn from the Nashville Banner that Col. Samuel P. Carson, formerly a Representative in Congress from North Carolina, died at the Hot Springs, in Arkansas, on the 2d ult.

The correspondent of the Courier & Enquirer, writing from Washington, says, that Judge Baldwin of the United States Supreme Court has recently manifested symptons of that derangement of intellect which afflicted him some three or four years ago. He rode into the post office on horseback a few days since to inquire for letters.

The "Presbyterian Case," involving the dispute between the old and new school, has been postponed in the Pennsylvania Superior Court, to the next term of the Court in February.

Slamm, Bang & Co. paid.—Levi D. Slamm has got his pay for leading his party into Tammany Hall, and is now an inspector in the Custom house. Ming and Slamm are now paid off as pensioners in the Lazaretto. Our friend Bang has not yet got an office. We advise some Loafer to claim this yet unembodied name of *Bang*, and go to Washington, insisting upon *his* pay. Bang ought to be rewarded.—*N. Y. Exp.*

Fraud.—A draft was presented on Saturday, at the Bank of the United States at Philadelphia, drawn in Cincinnati, purporting to be for $5,020, which was paid. On examination, it was found to be altered from $120 to $5,020.

The Chicago Democrat of the 10th instant announces the death of Mr. Carlan, the Governor elect of Illinois.

A respectable lady of Hartford, Conn has been sued for a breach of promise of marriage, and the *gentleman* has laid his damages at $30,000.

MARRIED.

In this County, on the 6th inst., by David Mc Neill, Esq., Mr. JOHN BAKER to Miss JENNET McINTYRE, all of this County. And on the same evening, by the same, Mr. JOHN W WRIGHT THORNTON, of Johnston County, to Miss SUSAN WADE, of Cumberland.

In Robeson County, on the 22d ult., by the Rev. Hector McLean, Mr. WILLIAM MUNROE to Miss HARRIET McPHATTERS.

DIED,

Recently, near La Grange, Tenn., Dr. JOHN SCOTT, of Rowan County, N. C.

COMMERCIAL RECORD.

ARRIVED, Dec. 10, Steamer Henrietta, Rush, with boat Nelson in tow, with Goods for sundry merchants of this place and the interior.

FAYETTEVILLE MARKET—DECEMBER 12.

Brandy, peach,	$1	Molasses,	35 a 42
Ditto, apple,	80	Nails, cut,	7½
Bacon,	13 a 14	Sugar, brown,	8 a 12
Beeswax,	24	Lump,	16
Coffee,	12½ a 13½	Loaf,	18 a 20
Cotton,	8½ a 10½	Salt,	70 a 75
Cotton Yarn,	20 a 30	Sack,	$2¾ a $3
Corn,	75 a 80	Tobacco, leaf,	6
Candles, F. F.	18 a 20	Cotton Bagging,	16a 20
Flaxseed,	$1 50 a $1 60	Bale Rope,	8 a 12½
Flour,	$6½ a 7½	Wheat,	$1 25 a $1 35
Feathers,	45	Whiskey,	60 a 65
Iron,	5½ a 6	Wool,	25 a 30

I WILL offer for Sale for CASH, at the Town House in Fayetteville, on the 1st day of January next, all the interest which John and William Murchison have in the real property belonging to the estate of John Murchison, dec'd. consisting of Town Lots in Fayetteville, and a tract of Land on Black River, adjoining Horn and others.

COLIN McRAE, Agent for
JOHN and WILLIAM MURCHISON.
December 11, 1838. 23-11j

POSTSCRIPT.

Letter from the Editor, dated

RALEIGH, Tuesday night, Dec. 11.

The Convention re-assembled this morning at 10 o'clock, when a great variety of resolutions were offered and referred to the General Committee. These resolutions embrace every scheme heretofore agitated, with some never before heard of. It would be useless for me to particularize them. The most important, to us, were the resolutions of Dr. Herndon, of the Granville Delegation, which embraced the Raleigh and Gaston, Raleigh and Columbia, and Fayetteville and Western Rail Roads. To the latter it proposed Legislative aid to the extent of three-fourths. Our Delegation have found the most friendly feeling prevailing, as well in the Convention as in the Legislature, to the Western Roads, and have consequently been enabled to act out our original intention of *proposing nothing*. Not a resolution has been offered by any of us. We could not but be satisfied with the current, and therefore have only to fall in with it. I think our prospects *decidedly good*. The General Committee meets to night.

Having been at the Convention, I had no opportunity of attending the Legislature to-day. I learn, however, that nothing of much interest occurred. In the Senate, a motion of Mr. Dockery to reconsider the vote rejecting the Jefferson County bill, was negatived 22 to 21.

On motion of Mr. Carson, an inquiry was directed into the failure of some of the Sheriffs to make proper returns of the votes for Governor.

Mr. Moulder submitted a proposition for dividing the unexpended balance of the Surplus, and the 4th instalment, if ever received, among the counties, to be by them loaned out, and the interest only used for county purposes. I have no idea that any such scheme will find favor with the Legislature

In the Commons, the only debate that occurred, I understand, was on a "fish bill," which, together with other equally important bills, received due and grave consideration. The bill to create the county of McDowell was rejected on its 2d reading 55 to 53. A bill was presented to authorize the receipt at the Treasury of S. Carolina and Virginia Notes. The bill to provide for clearing out Big and Little Rockfish creek, was rejected on its 2d reading, on the motion of Mr Patton. But afterwards reconsidered, on motion of Mr McLaurin, and referred to the Committee on Private Bills.

I have just returned from a very large meeting of members, citizens and strangers, on the subject of the mails. Mr. Edwards of Warren, from the Committee appointed last night, reported a very strong but respectful memorial to the Postmaster General, and resolutions of an equally decided character to be forwarded to our members of Congress, who, by the way, are understood to be already exerting their influence in the matter. The whole were adopted unanimously, and the memorial was immediately signed by those present. Notwithstanding the just feeling of indignation which prevails towards the P. M General, not a little is also directed to the Rail Road and Steam Boat lines for what is regarded as their exorbitant demand. It is said that they ask $300 per mile, and have been offered $237. The contract made with the Wilmington Line is said to be at $112 per mile.

PORTRAIT PAINTING.

J. & R. BOGLE

ARE now in this place, where, should they meet with sufficient encouragement, they will probably remain several weeks. Persons wishing to have their Portraits painted, will make immediate application. If the likenesses are not entirely satisfactory, there will be no charge.

They have taken a Room back of the Theatre.
December 7, 1838. 23tf

MONUMENTAL
MARBLE SHOP,
Liberty Point, Fayetteville,
(OPPOSITE THE JACKSON HOTEL.)

WHERE can be had at short notice various kinds of MONUMENTAL WORK. Those who have occasion to get the like, would do well to call before purchasing elsewhere.

JAMES FOSTER.
December 10, 1838. 23 6mpd

The Subscriber
HAS lately received a GENERAL ASSORTMENT of
DRY GOODS,
GROCERIES,
Hardware, Hats, Shoes, &c.
—ALSO—
"Rowland's Mill Saws," Thomastown Lime, (unslacked,) No. 1 pure White Lead, in Oil, Tanners', Linseed and Winter strained Oil.

H. LEETE,
Green Street.
December 12, 1838. 23tf

30 HHDS. PRIME MOLASSES,
75 casks unslacked Thomastown Lime,
10 casks Rice,
25 boxes Bunch Raisins,
50 sacks blown Salt,
A few bushels Herds' Grass Seed,
For sale by
GEO. McNEILL,
Foot of Hay Mount.
December 10, 1838. 23 4w

LAND for sale.

THE Plantation belonging to the Estate of Wm. P. Leak, deceased, lying on Pe Dee, at the mouth of Little River, in the County of Richmond, will be sold on the 16th day of January next. Persons desirous of a valuable and an extensive Farm, would do well to attend. The sale will take place on the premises. For further information apply to the subscriber, or to John W. Leak.

WALTER R LEAK, Guardian.
Rockingham, Richmond County, N. C., } 23-ts
December 1, 1838.

State of North Carolina,

ANSON COUNTY.

Superior Court of Equity, Fall Term, 1838.

Noah B. Hemby and wife Louisa, Benjamin K. Pond and wife Lucretia, Andrew Polk, William Henry Benton, Joel McLendon, Ellis Caraway, George Little and James Boggan,

Against

Moses Barber and wife Thetis, Joseph Boggan and wife Sarah, Laban Caraway, William T. Caraway, Calvin J. Caraway, Edwin S. Caraway, Taylor Caraway, John Caraway, Williams Hendricks, Sarah S. Hendricks, Jas. M. Hendricks, and Thomas J. Hendricks.

PETITION FOR SALE OF REAL ESTATE.

IT appearing to the satisfaction of the Court, that the above named Defendants, Moses Barber and wife Thetis, Joseph Boggan and wife Sarah, Laban Caraway, William T. Caraway, Calvin J. Caraway, Edwin S. Caraway, Taylor Caraway, John Caraway, Williams Hendricks, Sarah S. Hendricks, James M. Hendricks, and Thomas J. Hendricks, reside beyond the limits of this State: It is therefore *Ordered by the Court*, That publication be made in the Fayetteville Observer for six successive weeks, for said Defendants to be and appear before the Honorable the Judge of our next Court of Equity, to be held for the County of Anson, at the Court House in Wadesborough, on the 2d Monday of March next, then and there to shew cause, if any they have, why the prayer of the petitioners should not be granted, otherwise judgment pro confesso will be taken, and the cause heard ex parte as to them.

Witness, William Ewing Troy, Clerk and Master of our said Court of Equity, at Office, in Wadesborough, the 2d Monday of September, A. D. 1838, and in the 63d year of American Independence.

[23] WM. E. TROY, *C. M. E.*

TO THE AFFLICTED.

Hadlock's Vegetable Powder and Sirup,

For Diseases of the Lungs, Liver Complaints, Dyspepsia, Coughs, Colds, &c.

THE operation of this Medicine is particularly mild and safe. It promotes a gentle and healthy perspiration and checks morbid and pernicious sweatings, relieves chronic affections and congestion of the lungs, assuages cough, promotes a free and mild expectoration, removes pains from the chest, relieves asthmatic or difficult respiration, corrects obstinate costiveness, and leaves the bowels in a regular and healthy state. Those painful symptoms which indicate diseased lungs readily yield to this certain remedy, when seasonably resorted to, and it restores the patient to the bodily vigor which that wasting disorder, the consumption, if left to its natural operation, so surely destroys.

For sale by the Proprietor, on Hillsborough street, and at the Store of James H. Hooper.

The Proprietor has received the following testimony from the Rev. Colin McIver, a gentleman well known:

FAYETTEVILLE, Dec. 13, 1837.

Mr. James Hadlock—Dear Sir: As I count myself one of those who have derived benefit from your vegetable sirup, I cheerfully add my testimony in favour of its efficacy.

For some years I had been subject, every winter, to a cough, which, so long as it continued, was attended with more or less pain in my throat; but, as I generally found it to yield, in a week or two, to some common and simple remedy, and a little careful nursing, it ordinarily gave me little or no uneasiness. In the winter, however, o 1836, this annual guest continued his visit rather longer than was usual; and the ordinary modes of dismissing him, which, in former instances, had been attended with uniform success, in this last instance, seemed entirely to fail. To drop the figure, my cough continued during the whole of the winter, and appeared so obstinately to resist the ordinary means used for its removal, that I began seriously to apprehend that my lungs were in danger. As a last resort, I made trial of your vegetable sirup; and I have the pleasure to state, that, under the Divine blessing, less than one bottle of it entirely removed my cough; and restored my lungs to their former healthful state.

I remain, dear sir,
Yours truly,
[11-6m] COLIN McIVER

Dr. PRATT & Co's *Artificial Nipples or Shields.*

Washington City, Feb 4th, 1834

HAVING examined Dr Pratt's new invented Nipple Shields, and witnessed its practical application among my patients, I take great pleasure in recommending it as decidedly superior to any thing previously known. It constitutes a perfect remedy for that distressing malady sore Nipples,—a disease which so frequently afflicts nursing women.

THOMAS SEWEL, *M. D.*,
Prof of Anatomy & Physiology,
Columbian College, D. C.

COPY OF DR. DEWEES' CERTIFICATE.

DR. ELIJAH PRATT—*Dear Sir:*—As I feel it a matter of much public importance to possess a means of curing the terrible sufferings from sore Nipples, I have much pleasure in being able to say, that the Shield you offer for the preventing and the cure of this malady is better adapted to the purpose than any I have heretofore seen. In the two or three instances I have known them to be used, much satisfaction has been expressed, and have no hesitation to believe, it will generally succeed. I am so well persuaded of this, at this moment, that I cannot forbear to express a wish that our city, through the various apothecaries, may be supplied with them.

I am yours, &c.
WM. P. DEWEES, *M D.*
Philadelphia, 15th January, 1834.

The Subscribers have had an opportunity of witnessing the application of Dr E. Pratt & Co's Artificial Nipples, and were much pleased with the result.

This evidence in favor of the remedy, taken in connection with the annexed certificates of the justly celebrated Dr Wm. P. Dewees, of Philadelphia, and Dr. Thomas Sewel, of Washington City, leaves no reason to doubt that these Nipples or Shields will seldom fail in relieving Nursing Ladies who may suffer with sore Nipples, and consequently prevent one of the most distressing afflictions of the fe.. sex, Rising or Abscess of the breast.

Mr. JOSEPH HOLLINGSWORTH, of this town, is agent for Dr. Pratt & Co., and will furnish the Apparatus, with printed directions, on application at his Store on Person Street.

BENJ'N. ROBINSON,
JAMES H DICKSON.
Fayetteville, Feb. 5th, 1836. 91 1Y-pd

GEORGIA INSURANCE *And Trust Company.*

At Augusta.

CAPITAL, ONE MILLION OF DOLLARS,
Of which $627,000 is paid in, and invested in Bank Stocks, and the balance in a course of payment, by monthly instalments.

BY the act of Incorporation, the property o each Stockholder is bound, to the amount of his stock, for all contracts made by the Company, while he is a Stockholder, and for six months afterwards: which makes the actual responsibility of the Institution equal to Two Millions of Dollars.

The present number of Stockholders is Two Hundred.

Extract from the By Laws.

"In settling losses, if the *right* of the assured be clear, advantage shall not be taken of any mere legal objection."

THE undersigned as agents of the above Company, will insure Houses and Goods against loss by fire, in any part of this State and will also take river risks between Fayetteville and Willmington and any port on the coast.

STARK & PEARCE.
Fayetteville, Sept. 12, 1837. 58tf

HOLBROOK'S BELLS.

For Churches, Manufactories, Plantations, &c,

HOLBROOKS', the most celebrated Bell Founders in this country, having made arrangements with the Subscriber to receive and execute all orders for their Bells of any size, to 2,500 lbs which they will warrant of the very best sound and quality, not surpassed by any Bells in this country. Also, Town Clocks, Church and Parlour Organs, of superior finish and tones. Orders received and information given by

JAMES MARTINE.

N. B. They will warrant their Bells, and shoul any fail to give satisfaction, they may be exchanged for another. Also Old Bells recast.

Fayetteville, October 20. 59tf.

J. I. BRYAN,

COMMISSION MERCHANT, *WILMINGTON, N. C.,*

WILL give particular attention to the sale of LUMBER and TIMBER, as well as all other Consignments connected with a General Business;—and hopes by expeditious Sales and prompt returns, to merit patronage.

Responsible references given.
Wilmington, June 23, 1838. 99-6m

Children's Toy Books,

For sale at the Book Store of
E. J. HALE.

DAVID SHAW,

Confectioner and Grocer,

HAS just received a fresh and general supply of the following articles, which he offers low for Cash, viz:—

Soft shell Almonds,
Palm Nuts and Filberts,
New crop Bunch Raisins, large, in whole, half and quarter boxes,
Butter Crackers,
Jamison's Water do.,
Loaf Sugar and Teas, assorted,
Coffee & Brown Sugar,
Cheese & Scotch Barley,
Scotch Herrings,
Race & Ground Ginger,
Mace and Cloves,
Starch and Citron,
Cassia and Nutmegs,
Currants and Seidlitz Powders,
Alum and Saltpetre,
Pepper, Alspice & East India Ginger,
Superior SPANISH CIGARS,
Maccoboy Snuff,
Scotch do,
Hair Powder and Gum Camphor,
Windsor, Rose and Bar Soap,
Lucifer Matches and Pomatum,
Rose & Cologne Water,
Oil of Lemon and Peppermint do,
Oil of Cinnamon and Essence of Peppermint,
British Oil & Bears' do,
Macassar Oil, Opodeldoc, &c. &c.
A large assortment of CORDIALS,
Port Wine, Madeira do,
Good Sherry Wine,
Cognac Brandy,
Jamaica Rum,
Holland Gin, &c.
Turner & Hughes' ALMANAC, and a general assortment of superior TOYS, &c.

N. B. Country Merchants and others wishing to purchase CONFECTIONARIES, whether by Wholesale or Retail, will find it to their advantage to call. The assortment on hand is large and extensive, and consists of all the articles usually kept in his line. Wholesale price of Candies is 32 cents per lb.; Retail 40 cents.

Fayetteville, Nov. 14. 1838 19 6w

For Sale,

50 CASKS unsticked Thomastown LIME,
10 qr. casks fine old London particular Madeira Wine,
3 casks London Porter,
6 barrels Tanners' Oil,
10 boxes Sperm Candles.

JOHN HUSKE & SON.
November 20, 1838. 20tf

$100 REWARD

FOR the apprehension and delivery of my Negro man by the name of BOB, and the white man that decoyed him off; or I will give fifty dollars for either of their apprehensions and delivery to me. The white man that I believe decoyed off my man Bob, is by name, (as he called himself) Harris; he is about six feet high, dark hair, and rather squint eyed, when talking shows his upper teeth very much, his fore teeth very broad; he stated that he was raised at the north, and talks very broad, and is rather stoop shouldered and slender built, long armed, long hands, and quite long fingers; he has been engaged in working on the State Rail Road when my hands were engaged in the same business, and Harris and my negro man Bob both left that place on Sunday night, the 21st October. Harris tried several other Negroes, and promised half of what he could make by selling them, and their freedom in the end He told them that he would sell them in every town they passed, and steal them again, and then take water and make their escape. My man Bob that he carried off, is about 5 feet 8 inches high, stout made, and slow spoken, has a fleshy, soft hand for a negro that labors, he can read very well, and can write a tolerable smart hand, one of his eyes appears to be smaller than the other, he is tolerable black, and very broad across his shoulders, and has a down look. Any information respecting either or both, will be thankfully received My residence is in Gwinnett co. Geo. 8 miles below Lawrenceville. It is supposed they will take water, and go from one town to another, from Augusta on to the north. DUDLEY BONDS.

Nov 19, 1838. 20 4w.

Notice.

THE Subscriber having purchased the entire interest in the late Firm of Leete & Cook, duly notifies all persons having claims against the same, to present them to him; and those indebted either by Bonds, Notes or Accounts, are respectfully requested to pay the same without delay.

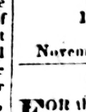
The business in future will be conducted by him, at the old Stand of Leete & Cook, GREEN STREET, where he is now receiving, in addition to his present Stock, a general assortment of

FALL AND WINTER GOODS,
CONSISTING OF
DRY GOODS,
GROCERIES,
Hardware, Hats, Shoes, &c.,

Which he will sell low for CASH, or in exchange for Country Produce.

H. LEETE.
October 30, 1837. 65tf

Lands and Mills for Sale.



THE Subscriber offers for Sale a tract of LAND, on Richland Swamp, Robeson County, containing upwards of TWO THOUSAND ACRES. The improvements consist of a comfortable DWELLING HOUSE, and all necessary Out Houses, a considerable quantity of cleared Land, and a Saw and Grist MILL, lately rebuilt. It is deemed unnecessary to say any thing about the quality of this Land, as those wishing to purchase will doubtless satisfy themselves in this particular. It may, however, be confidently asserted to be as healthy a situation as can be found in this or any other part of the country. During a residence of more than twenty years, with a numerous family, there has never been one solitary case of Fever, except in the remarkable Fall of 1827.

Also, 574 acres on Gum Swamp, on which is a Grist Mill, Cotton Gin, and about 70 acres cleared Land.

Also, about 6,000 acres unimproved Land, in several different tracts, lying in various parts of the County, and will be sold in lots to suit purchasers.

A credit of one, two, and three years will be given if desired, and terms made easy and accommodating.

DUNCAN McALPIN.
September 4, 1838. 10 tf

P S. I would also sell my interest in the Rock fish Mills, (formerly Williams's,) with or without 1,500 acres of heavily timbered Land, if application be made soon. Terms as above.

D. McA.

Notice to Manufacturers.

THE Salem Manufacturing Company offer for sale a complete Pick and Lap Machine, made by Godwin Clark & Co, of Paterson, New Jersey. The Machine is one of the best finished that ever left that Shop, and can be recommended as equal if not superior to any of the kind ever brought to this country. A supply of extra brasses, pinions, &c., which are most perishable in the Machine, may also be had.

All those who are anxious to possess themselves of a superior article, at a very moderate price, will do well to make early application to

FR. FRIES, *Ag't S. M. Co.*
Salem, N. C., September 8, 1838. 12tf

Notice.

WE hereby constitute and appoint Mr. WARREN PRIOR our Agent and Attorney in fact, for the collection of all Notes and Accounts due the late Firm of Selph & Pyle, transferred to us for certain purposes, and which, if not paid by the 1st of January next, will be placed in the hands of an officer for collection.

FELLOWS, CARGILL & CO.
October 3, 1838. 13 4tJ

For Sale,

300 BUSHELS *HAIR* for Plaistering, &c., to be had at the Fayetteville Tannery.

L. S. BELDEN & CO.
September 11, 1838. 10tf

TO COUNTRY MERCHANTS.

MORE NEW GOODS.

BY Steamer Cotton Plant I am now receiving my FALL AND WINTER

DRY GOODS,

Which consist of a GENERAL ASSORTMENT, well adapted for the demands of the Season, and Bought principally at Package Sales for *Cash*, and are necessarily CHEAP,—and selected with care to suit this section of country.

Also, a heavy Stock of

GROCERIES,

Consisting in part of—

156 BAGS RIO COFFEE,
25 do Laguira do,
25 do Cuba do,
20 hhds. St. Croix SUGAR,
10 do Porto Rico do,
300 sacks Liverpool Salt,
100 kegs Nails and Brads, assorted,
50 do No. 1 White Lead, in Oil,
20 brls. Tanners' Oil. *(Shore & Bunks)*
50 b'xes Window Glass, 8 x 10 & 10 x 12,
20 tons Swedes and English Iron,
100 pair Bright Trace Chains,

Together with Sheet Iron, Weeding Hoes, Mousehole Anvils, Vices, Hammers, Bellows, &c. &c., Loaf and Lump Sugar, Teas, Shot, Lead, Powder, Wines and Spices of all kinds;—all of which will be sold as formerly very low for Cash, Country Produce, or on time to undoubted Paper.

☞ My Stock for the approaching Season is complete. Call and examine, or send your orders to

C. J. ORRELL,
Yellow Brick Buildings, Hay Street.
Fayetteville, Oct. 12, 1838. 15tf

NEW GOODS! NEW GOODS

The Subscriber is now receiving a large stock of

GOODS,

Consisting in part of CLOTHS, MERINOES, SATTINETS, HATS, BONNETS, SHOES, &c. &c. Being desirous to sell out by Spring, these Goods will be sold very cheap for Cash.

JOHN McARN.
January 3, 1838 74 tf

Notice.

THE Copartnership heretofore existing under the firm of Willkings & Belden, expires this day, by its own limitation. E. W. Willkings is duly authorized to settle the accounts of the concern.

E. W WILLKINGS.
R C BELDEN.
Fayetteville, June 30, 1838

Notice.

THE Subscriber will offer at Private Sale, 260 acres of LAND, lying in the County of Robeson, situated 23 miles South of Fayetteville, and 6 miles West of Cape Fear River Said Land is as well adapted to the growth of Corn and Cotton as any in this section of country. There is also a Dwelling House with Out Houses attached It is very handy to Mr. Lloyd's Mills, and I have no doubt to any person desirous to embark in the Lumber and Timber business, the purchase of it might prove a money making speculation. A further description is unnecessary. Call and suit yourselves.

JOSEPH MUSSELWHITE.
October 27, 1838 18 6w

☞ All persons indebted to me are earneatly requested to settle their accounts at the shortest notice, otherwise they will be placed in the hands of an officer for collection.

Mill Saws, Mill Saws.

JUST received, a few dozen of Rowland's extra thick MILL SAWS, of superior quality, manufactured expressly for this market.

H. LEETE.
April 4, 1838. 87tf

Strayed or Stolen,

FROM the Subscribers on Sunday night the 7th inst., a large black HORSE, about 16 hands high, 14 years old, somewhat scarred, and tolerably low in flesh Any person who will return him shall be liberally rewarded

L S BELDEN & CO
October 17, 1838 15tf

More Light.

THE Subscriber having leased from Mr Duncan Smith the "Fayetteville Candle Factory," will keep constantly on hand, at his Store on Green Street, a general assortment of CANDLES, at Wholesale and Retail. Being determined to devote all necessary attention to the Moulding and putting up of Candles, he hopes to receive a due share of public patronage. He will gladly receive and promptly attend to all orders from abroad for supplies on the most reasonable terms.

W. McL McKAY.
October 9, 1838 14tf

ENTERTAINMENT.

THE Subscriber, having been satisfactorily engaged for more than three years in attending to a

BOARDING HOUSE,

Feels encouraged to say to the public, that her HOUSE and STABLES are well furnished for the reception and accommodation of those who may be pleased to call.

E SMITH.

Mrs. Smith is prepared to entertain Stage Passengers, should any think proper to call. Their Baggage shall be removed to and from the Stage Office free of charge.

☞ My Residence is on the corner of Gillespie street, the Lot formerly occupied by Mrs. Barge, convenient to the Market and near the State Bank.

Fayetteville, Sept. 1, 1838. 9 tf

***The Charleston Courier and Cheraw Gazette will insert the above once a week for three months and send their accounts to this office for payment.

To Saw Mill Owners.

I WILL attend to the sale of Lumber in this place. Having been engaged in the business for six or eight years past, I am under the impression my acquaintance with this and foreign markets is such as to enable me to dispose of Lumber to the best advantage. Where Lumber is directed to be wharfed, the usual charge of Wharfage will be made. Fair advances made when wished

O. G PARSLEY.
Wilmington, N. C., Oct. 25, 1837. 65tf.

Peter P. Johnson

HAS just received a large and fine assortment of Ladies' SHOES.

October 2. 1838 13tf

CARD.

THOMAS J. MIMS,

INTENDING to locate in the Town of Willmington, offers his services to his friends and the public generally in the transaction of a COMMISSION & AGENCY BUSINESS. Particular attention will be paid to the disposal of Lumber, Timber, and Naval Stores generally, and the purchase of West India Produce.

September 25, 1838. 12 3m

Just received per Cotton Plant,

12 CASKS CHEESE,
For sale by
SAM'L W. TILLINGHAST.

☞ The Subscriber will continue to receive regular Supplies of this article during the Season. S. W. T.

October 17, 1838. 15tf

Received per Cotton Plant,

AND for sale at the Auction Store, opposite the Lafayette Hotel—

60 BAGS RIO COFFEE,
10 Qr casks Sweet Malaga WINE,
4 casks best London Porter,
4 barrels Loaf Sugar,
10 bags Ginger,
6 bags Brazil Nuts,
15 boxes Brown Soap,
15 barrels Green Copperas,
10 boxes Bunch Raisins,
3 boxes Sperm Candles.

Also, in Store, at very low prices—

100 Reams Foolscap PAPER,
100 do Imperial Printing do,
100 do Medium do, do,
8 do Super Royal do, do,
50 do Wrapping do

SAM'L W. TILLINGHAST.
October 22, 1838. 16tf

Lumber and Timber.

THE Subscribers will attend to the sale of LUMBER and TIMBER in Wilmington.—They have a large Wharf and the best Timber Pen in the place, and devote their whole attention to that business. They feel confident that they will be able to give satisfaction to all who may trust the management of their Produce to them.

MILES COSTIN & CO.
Wilmington, Sept. 1, 1838. 16-3m

$50 Reward,

WILL be paid for the apprehension and confinement, so that he may be brought to justice, of WRIGHT ALLEN, who commonly calls himself Wm. Allen, who sold to me as a slave, a free mulatto boy named DENNIS. Said Allen is a very stout man, dark complexion, about 40 years of age, has an uncommon large hand and nose, the hand very much covered with hair. I will give $200 reward for the recovery of the $500 which I paid Allen for the negro, or in proportion for any part of it. He carried with him from Fayetteville, about ten days ago, a tall bright mulatto free woman, named Mary, and it has been ascertained that they went North together by way of the Wilmington Rail Road. He wore a grey coatee with outside pockets without flaps, a black silk hat, made by J. R & D. Gee, of Fayetteville, whose names are in the hat; his own name also is worked in the hat with yellow silk Any information addressed to the Subscriber will be promptly attended to.

DANIEL McKINNON.
Stewartsville, Richmond County, N. C., } 21tf.
November 27, 1838

☞ The National Intelligencer will give the above three insertions, and forward the account to this Office

Notice is hereby given,

THAT I have constituted and appointed Gurdon Deming, Esq., my Agent and Attorney, to collect and settle all notes and accounts due me in this State; and to attend to, and transact any other business appertaining to my interest, that may be unsettled or unattended to, during my absence.

HENRY P. PECK.
Fayetteville, Nov. 20, 1838.

Further Notice.

THE STORE on Hay street, owned, and lately occupied by Henry P. Peck, is for Sale or Rent For terms, apply to Gurdon Deming, or should he be absent, to Amos Kimball.

GURDON DEMING.
Fayetteville, Nov 21, 1838 20-6w

Dissolution of Copartnership.

THE Copartnership heretofore existing under the firm of Johnson & Martin, is this day dissolved by mutual consent, and all persons indebted to said firm are requested to make payment to Peter P. Johnson, who is authorized to receive the same.

PETER P. JOHNSON.
JOHN R MARTIN.
Witness, NORMAN McKINNON.
Fayetteville, Sept 4. 1838 20tf

Notice.

THE Subscribers intend to close up their business in this place, and request all persons indebted to them to settle the same immediately, and all claims against them to be presented for payment.

CURTIS & MYROVER.
Nov 13. 1838. 19t1J

NEW GOODS.

THE undersigned is now receiving his Stock of

FALL AND WINTER GOODS,

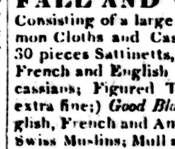
Consisting of a large assortment of fine and common Cloths and Cassimeres of various colours; 30 pieces Sattinetts, some very fine; Erminetts; French and English Merinos, (all colours;) Circassians; Figured Thibets; Bombazines, (some extra fine;) *Good Black* Silks; Colored ditto; English, French and American Calicoes; Jaconet and Swiss Muslins; Mull and Book ditto; Bobinet Edgings and Footings; Thread Laces and Edgings; Muslin and Lace Trimmings; Gloves and Hosiery; Gauze and Lace Veils; Bonnet and Cap Ribbons, (a variety;) Satins; Rich Chally Shawls; Silk and Gauze do; Florences; Rich Chencill Shawls; Corsets and Laces; Crapes, &c.; Velvets; good Silk Handkerchiefs; Serges; Finzio's Sewing Silk; Twist; Fancy and Plain Buttons, and Tailors' Trimmings of all kinds; Wrought Capes and Collars; Linens and Lawns; Russia, Bird-eye and Table Diapers; Stocks, Collars and Bosoms; Brown and Bleached Shirtings and Sheetings; Apron Checks; Suffolk Drills; 7-8 and 6-4 Tickings; White, Green and Scarlet Flannels; Cotton do.; Salisbury do.; Fine Carpeting; Goat-hair and common Camlets; Negro Kerseys; Rose and Whitney Blankets; Duffle and Point do.; Merino Shirts and Drawers.

—ALSO—

Hats, Fur and Hair Caps, Silk and Cotton Umbrellas, Parasols, fine and coarse Shoes. Also, a large assortment of Bonnets of the latest style. As these Goods were bought principally with Cash, and consequently on the best of terms, the Subscriber thinks he will be enabled to sell them at the lowest market prices.

E. J. LILLY.
Fayetteville, Oct. 3, 1838. 13 3m

WATCHES, JEWELRY, MILITARY AND FANCY GOODS.



THE Subscriber has received and is now opening a large and handsome assortment of Gold and Silver Patent Lever, Duplex, Lepine and Plain

Watches,

Of various qualities; Fine and common FASHIONABLE JEWELRY, of every description; SILVER SPOONS; Butter and Fruit KNIVES; Gold and Silver SPECTACLES, PENCILS, THIMBLES, &c., PLATED and BRITANNIA WARE; MILITARY EQUIPMENTS; a fine assortment of double and single barrel GUNS and PISTOLS; FINE CUTLERY; MATHEMATICAL and MUSICAL INSTRUMENTS; SURVEYORS' COMPASSES; PERFUMERY, &c; together with a great variety of new and fashionable Fancy and Household articles, too tedious to enumerate; all of which are offered at reduced prices

WARREN PRIOR.
October 17. 1838. 15tf

☞ CLOCK and WATCH REPAIRING, and other Work in the line, thankfully received and strictly attended to.

Bale Rope at 5 Cents.

A QUANTITY of BALE ROPE, taken from bags of Cotton manufactured at the Subscriber's Mill, for sale at 5 cents per pound.

C. P. MALLETT.
November 28, 1837. 69tf.

NEW GOODS.

THE Subscriber has received his Purchases for the Fall and Winter Trade, comprising an Extensive and General Assortment of

GROCERIES,

HARDWARE & CUTLERY, Crockery, Glass & China-ware,

Together with a General Assortment of

STAPLE & FANCY DRY GOODS.

Also, a Large and General Assortment of

Men's, Women's and Children's Shoes, Boots and Slippers, Fur and Wool Hats, Fur and Seal Caps, &c. &c.

Also, all kinds of Foreign and Domestic LIQUORS, WINES, &c —all of which will be sold at LOW PRICES for *Cash, Buck Country Produce,* or on *short credit* for approved Notes.

The public are invited to call and examine for themselves.

G. B ATKINS,
Foot of Hay Mount.
Fayetteville, October 23, 1838. 16tf

LANDS AND MILLS FOR SALE.

THE Subscriber, determined to close all his business in this place, offers for sale his LOT in town, and will divide it in two or three Lots to suit purchasers. It contains one acre, and would be large enough to make three building lots.—Also, the Tobacco Factory Lots, with a good house thereon, and store house and lot in Campbellton, within four feet of the rail road. Also, a Store and large Warehouse in Fayetteville, on Person street. Also, my right and title to the Beaver Creek Mill, containing twenty six hundred acres of Land. Also, my Mill and about four thousand acres of Land on Carver's Creek. There is upwards of 200 acres of cleared Land, with a good house, large barn, and three other houses upon it. Said Land is believed to be among the best Corn Land in the sand hills. There is 5 to 600 acres of said Land which can be cleared, and is little inferior to any on Cape Fear River,—a large quanity of which is as well timbered as any Land in the county. It will be sold in separate tracts or all together to suit purchasers. Together with all my stock of Cattle, consisting of Horses, Cows, Hogs; two Wagons; a first rate Timber Wagon; all my Household Furniture; Pew No. 22 in the Presbyterian Church; Corn, Fodder, Hay, and Farming Utensils. All or any part of the above property will be sold at Private Sale until about the 1st of January next, at which time due notice will be given of the day when all will be sold at Public Auction.

I have, also, 100,000 feet of Pine Lumber, consisting of Quarter Boards, Wide do. and Scantling, 5,000 feet of Oak Plank and Sweet Gum Boards, and can furnish Pine, Oak, Sweet Gum, Poplar and Cypress to any bill till the above described Sale.

MICHAEL McGARY.
October 3, 1838. 13 ts

State of North Carolina,

ANSON COUNTY

Superior Court of Equity, Fall Term, 1838.

Stephen H. Gaddy and wife Mary, John G Allen and wife Nancy, Young H. Allen and others,
Against
William Caldwell and wife Jane, and Ruth Huie

PETITION FOR SALE OF REAL ESTATE.

IT appearing to the satisfaction of the Court, that the above named Defendants, Wm. Caldwell and Jane his wife, and Ruth Huie, reside beyond the limits of this State: It is therefore *Ordered by the Court,* That publication be made in the Fayetteville Observer for six successive weeks, for said Defendants to be and appear before the Honorable the Judge of our next Court of Equity, to be held for the County of Anson, at the Court House in Wadesborough, on the 2d Monday of March next, and plead, answer or the petition will be taken *pro confesso* and heard ex parte.

Witness, Archibald A T. Smith, Clerk of said Court, at Office, the 7th Monday after the 4th Monday of September, A D 1838

20] ARCH'D A T SMITH, C. E.

State of North Carolina,

ANSON COUNTY

Superior Court of Equity, Fall Term, 1838.

Jeremiah Henry, } *Original Bill.*
versus
Joseph A. Liles and Elijah Liles.

IT appearing to the satisfaction of the Court, that Joseph A Liles, one of the Defendants in the above case, is not an inhabitant of this State. It is therefore *Ordered by the Court,* That publication be made in the Fayetteville Observer, for six successive weeks, for the said Joseph A. Liles to be and appear before the Honorable the Judge of our next Court of Equity, to be held for the County of Anson, at the Court House in Wadesborough, on the 2d Monday in March next, then and there to plead, answer or demur to Complainant's Bill, otherwise judgment pro confesso will be taken, and the cause set for hearing ex parte as to him

Witness, William Ewing Troy, Clerk and Master of our said Court of Equity, at Office, in Wadesborough, the 2d Monday of September, A. D. 1838, and of American Independence the 63d year.

[19] WM. E. TROY, *C. M. E.*

State of North Carolina,

ANSON COUNTY.

Superior Court of Equity, Fall Term, 1838.

Noah B. Hendby and wife Louisa, Benjamin K. Pond and wife Lucretia, Andrew Polk, William Henry Benton, Joel McLendon, Ellis Caraway, George Little and James Boggan,
Against
Moses Barber and wife Thetis, Joseph Boggan and wife Sarah, Laban Caraway, William T. Caraway, Calvin J. Caraway, Edwin S. Caraway, Taylor Caraway and John Caraway.

PETITION FOR SALE OF REAL ESTATE.

IT appearing to the satisfaction of the Court, that the above named Defendants, Moses Barber and wife Thetis, Joseph Boggan and wife Sarah, Laban Caraway, William T. Caraway, Calvin J. Caraway, Edwin S Caraway, Taylor Caraway and John Caraway, reside beyond the limits of this State: It is therefore *Ordered by the Court,* That publication be made in the Fayetteville Observer for six successive weeks, for said Defendants to be and appear before the Honorable the Judge of our next Court of Equity, to be held for the County of Anson, at the Court House in Wadesborough, on the 2d Monday of March next, then and there to shew cause, if any they have, why the prayer of the petitioners should not be granted, otherwise judgment pro confesso will be taken, and the cause be heard ex parte as to them.

Witness, William Ewing Troy, Clerk and Master of our said Court of Equity, at Office, in Wadesborough, the 2d Monday of September, A. D. 1838, and in the 63d year of American Independence.

[19] WM. E. TROY, *C. M. E.*

State of North Carolina,

ANSON COUNTY.

Superior Court of Equity, Fall Term, 1838.

Joseph Boggan and wife Sarah, Laban Caraway, William T. Caraway, Calvin J. Caraway, Edwin S. Caraway, Taylor Caraway and John Caraway, Petitioners,
Against
Noah B. Hendby and wife Louisa, Benjamin K. Pond and wife Lucretia, Andrew Polk, William Henry Benton, Joel McLendon, Ellis Caraway, George Little and James Boggan, Defendants.

PETITION FOR SALE OF REAL ESTATE.

IT appearing to the satisfaction of the Court, that the above named Defendants, Noah B. Hendby and wife Louisa, Benjamin K. Pond and wife Lucretia, Andrew Polk, William Henry Benton, Joel McLendon, Ellis Caraway, George Little and James Boggan, reside beyond the limits of this State: It is therefore *Ordered by the Court,* That publication be made in the Fayetteville Observer for six successive weeks, for said Defendants to be and appear before the Honorable the Judge of our next Court of Equity, to be held for the County of Anson, at the Court House in Wadesborough, on the 2d Monday of March next, then and there to shew cause, if any they have, why the prayer of the petitioners should not be granted, otherwise judgment pro confesso will be taken, and the cause be heard ex parte as to them.

Witness, William Ewing Troy, Clerk and Master of our said Court of Equity, at Office, in Wadesborough, the 2d Monday of September, A. D. 1838, and in the 63d year of American Independence.

[19] WM. E. TROY, *C. M. E.*

WHOLESALE STORE

J. & J. KYLE

HAVE just received by the late arrivals from the North, a large and general assortment of

DRY GOODS,

All of which being purchased at the late Sales, will be offered at REDUCED PRICES for Cash, or to punctual customers on the usual credit.

September 11, 1838 10tf

NEW GOODS.

THE SUBSCRIBERS are now receiving their FALL AND WINTER STOCK, forming a complete assortment of

DRY GOODS,
Hardware and Cutlery, &c.
ALSO, a general assortment of
GROCERIES,

Consisting in part of—

10 HHDS SUGAR
50 Bags Rio COFFEE
200 pair Bright and Blue TRACE
100 kegs NAILS, assorted
12 casks prime CHEESE
20 boxes Bunch & Bloom RAISINS
Collins' & King's AXES, &c
—ALSO—
100 cases SHOES and HATS.

Well worthy the attention of Country Merchants are offered at Wholesale, by

NOTT & [illegible]
October 31, 1838. 19tf

D. B. ROBINSON & Co.

ARE now receiving and will keep constantly on hand, a good Stock of

Groceries, Hardware, &c.

Consisting in part of—

Prime Porto Rico and St. Croix SUGARS
Rio and Java COFFEE,
Loaf and Lump Sugars,
Gunpowder and Imperial Teas,
Molasses, Liverpool and Alum Salt,
Swedes and English bar, hand and nail Rods,
Castings, Nails, Trace Chains, Shovels,
Spades,
Bale Rope & Cotton Bagging, Lead & Shot,
Sole and Harness Leather, Shoes,
10 casks and 20 boxes Cheese,
Cognac Brandy and Holland Gin,
Madeira and Teneriffe Wines.

All of which will be sold low for CASH or Country Produce.

Fayetteville, Nov 6, 1838.

State of North Carolina,

CUMBERLAND COUNTY.—In Equity.

Flora McMillan, Catharine Malloy, John Malloy and wife Sarah,
vs.
Allen Cameron and wife Margaret, Murdoch Cameron, Arch'd Baker and wife Mary, Hugh Ewing, Malcom Gilchrist and wife Jane, Malcom Galbreath, Alexander Galbreath, John Montgomery and wife Catharine, John Marin and wife Sarah, Alex'r Smith and wife Mary, Catharine, James Graham and wife Mary, Neil McMillan, Arch'd A McMillan and Hugh A. McMillan.

PETITION FOR SALE OF LAND.

IT appearing to the satisfaction of the Court that the Defendants are not inhabitants of this State: It is therefore *Ordered* by the Court, That publication be made in the Fayetteville Observer for six weeks, for the said Defendants to appear at the next Court of Equity, to be held for the County of Cumberland, at the Court House in Fayetteville, on the 6th Monday after the 4th day of March next, and plead, answer or demur or the petition will be taken *pro confesso* and heard ex parte.

Witness, Arch'd A T. Smith, Clerk of said Court, at Office, the 7th Monday after the 4th Monday of September, A D 1838

20] ARCH'D A T SMITH, C. C.

Notice

LETTERS of Administration (Pendente lite) upon the Estate of Charles Hopkins, granted at May Term, 1838, of Wayne County Court, to John Everitte. The subscriber hereby notifies all and every person having claims against said Estate, to bring them forward, properly proved, or this notice will be pleaded in bar of their recovery JOHN EVERITTE, Adm'r.

November 16. 1838. 20tf

Fayetteville Female Seminary,

Under the superintendence of Mr. [illegible]

ACADEMIC YEAR consists of two Sessions of 20 weeks each, commencing with the first Monday in October 15th.

The School is divided into two general divisions or Classes.

The Second Class attends to Reading, Spelling, Writing, Elementary Arithmetic, Etymology, Grammar, previous to Parsing and Analysis, Elementary Geography

From these studies the Pupil passes into the First Class, and proceeds through a course of general Study in Literature and Science.

TERMS

Second Class,	$8 per Session
First Class,	16 "
French Language,	10 "
Admission to conversation class in French,	2 "
Others not members of the School,	4 "
Music on the Piano,	25 "
" " Organ,	25 "
" " Guitar,	5 "
Use of the Piano,	10 "
Drawing and Painting,	10 "

Fancy work, including the art of making Flowers, will also be taught to Classes formed for the purpose, at usual prices.

Incidentals, 50 Cents

Boarding in respectable and genteel families from $50 to $60 per Session.

Tuition is charged from the time of entrance to the end of the Session.

No deduction made for absence except in case of sickness.

A fee of $1 each admits the Chemistry Class to Rev. Mr. Colton's course of Lectures.

Parents will be aided in placing their daughters to Board by application to Judge Potter, Mr. Leete, Mr. McNeill, or to the Principal.

November 20, 1838.

Mill Stones.

THE Subscriber having recently opened a Quarry of superior Grit, is prepared to furnish any number of Stones, either at the Quarry or at the Store of C J. Orrell, Fayetteville. The quality of the Moore County Stones is so well known as not to need description, and the subscriber will warrant all Stones sold by him, that they should not prove to be good, another pair will be furnished without charge. The price will be lower than heretofore.

Persons wishing to purchase, can apply to the subscriber, or by letter addressed to Carthage, Moore County, N. C., with description of the size wanted.

JESSE SOUTHERLAND.

Moore County, May 1, 1838

Dwelling House for Sale.

A COMFORTABLE *DWELLING HOUSE* with Out Houses attached. For particulars apply to

ELIJAH FULLER.
October 3, 1838.

Buggy and Harness.

JUST received from Philadelphia, by the Cotton Plant, an elegant new BUGGY HARNESS, running on four wheels, and for sale by

C. J. ORRELL.
November 12, 1838.

NEGROES Wanted.

THE undersigned wishes to employ twenty able bodied Negro Men, for whom the highest prices will be paid They will be well fed, clothed, &c. In my absence, reference may be made to John Waddill, Jr.

ABRAM BAKER
March 1, 1838. 83 tf.

ALL KINDS OF JOB PRINTING.

Expeditiously executed at this Office